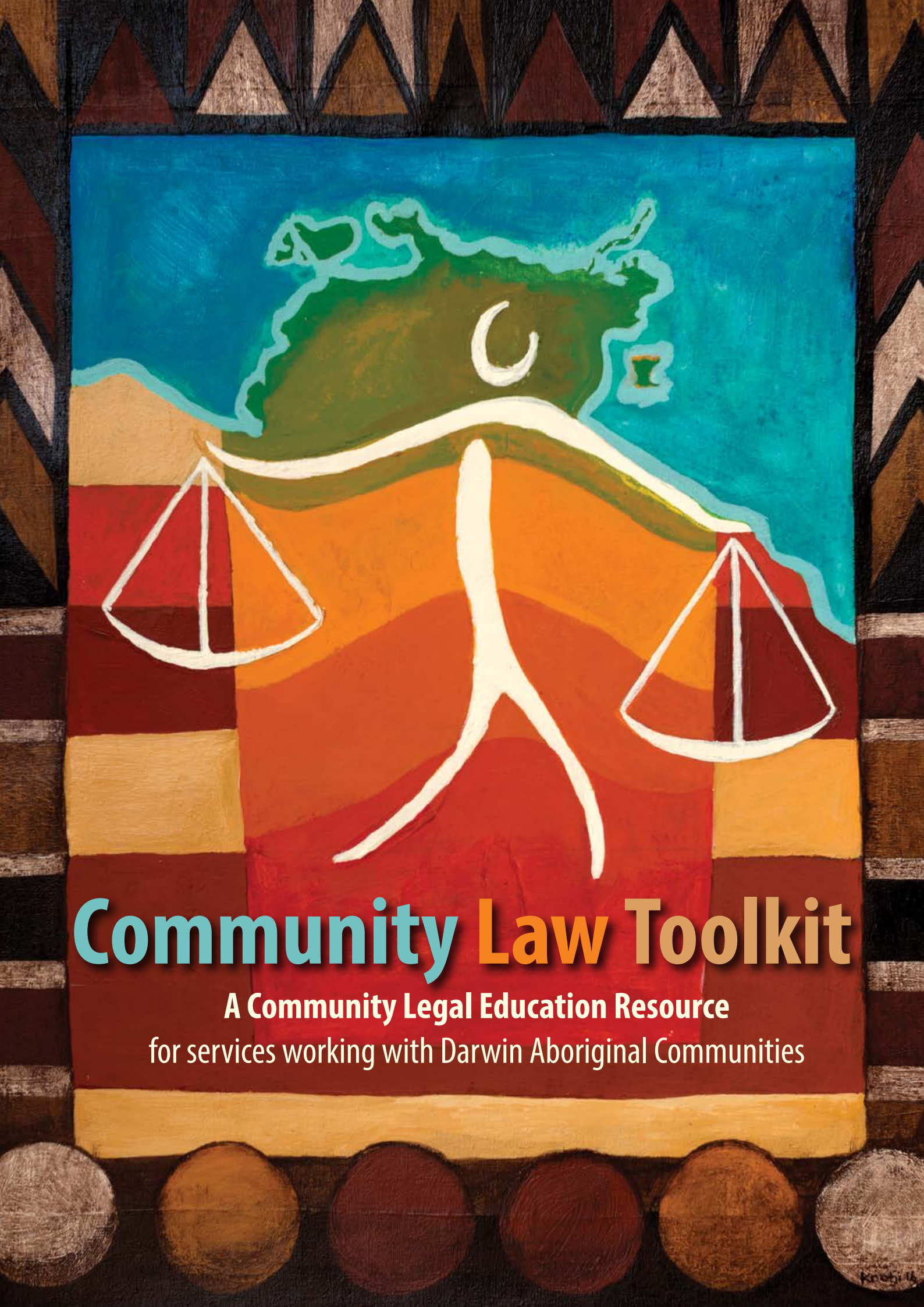

Community Law Toolkit

A Community Legal Education Resource

for services working with Darwin Aboriginal Communities

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To find out more or get a copy of this kit contact cle@ntlac.nt.gov.au

The term "Darwin Aboriginal Communities" is intended to describe the diverse communities of Aboriginal and Torres Strait Islander people living in the region of Darwin. This includes both physical town communities such as Bagot, One Mile Dam, Knuckeys Lagoon, Palmerston Indigenous Village and Belyuen as well as people who identify as Aboriginal people living in the Darwin region.

Throughout this kit, references to "Aboriginal people" are intended to include Aboriginal and Torres Strait Islander peoples. The Aboriginal Leadership Advisory Group for the project gave guidance on this approach and the title of the kit. The intention is to ensure the kit is relevant, accessible and useful for service providers working in Darwin with Aboriginal and Torres Strait Islander people.

This kit contains legal information only. It is designed to help people learn about the law and their rights. It was up to date at the time of printing. However, the law changes often. If you need legal advice for a specific problem please contact the Legal Aid Helpline on 1800 019 343.

All original art work by **Kootji Raymond**

This program was generously supported by the Law Society Public Purposes Trust

Executive Summary

The Darwin Aboriginal Communities Legal Education Project (the Project) developed a culturally appropriate, community driven legal education resource to increase access to and understanding of the Northern Territory (NT) legal system for Aboriginal people living in Darwin.

The Northern Territory Legal Aid Commission (NTLAC) developed a proposal in consultation with the North Australian Aboriginal Justice Agency (NAAJA) and Larrakia Nation Aboriginal Corporation (LNAC) in early 2015 for a project to:

- enable legal services to improve how they identify, understand and address legal needs of Aboriginal people in Darwin
- increase capability of Aboriginal people living in Darwin to solve legal problems and advocate for improved justice outcomes
- identify opportunities for future collaboration with Darwin Aboriginal communities, key service providers, and community groups

An Aboriginal Leadership Advisory Group (ALAG) was established to give strategic advice about how to build relationships between communities and legal services and the development of the toolkit. ALAG members contributed diverse individual, community and cultural knowledge. NTLAC arranged transport to meetings and provided culturally inclusive food such as local magpie goose cooked and prepared by staff and their families. The ALAG included equal numbers of Aboriginal and Torres Strait Islander men and women. Meetings were split into separate gender groups when it was appropriate to the topic. Most ALAG members were heavily committed in their community responsibilities so NTLAC enabled flexible participation in ways that suited their needs.

Photo: Men participating in the Leadership Advisory Group 28 October 2015, from left to right: Desmond Campbell, Ron Agnew, John Jablonka, Maurie Ryan, Matthew Bonson, and Bruce Lee-King

The strong message from ALAG members was that Aboriginal and Torres strait Islander people from Darwin want and need better access to legal assistance generally, including legal education. To achieve this, agencies need to engage with communities in culturally appropriate ways to ensure effective and lasting service delivery. Suggested principles for service delivery are:

- use existing networks, services, and resources
- identify and involve community leaders and members in planning and delivering services
- build trust and respectful relationships with community members
- begin with small and achievable objectives, rather than trying to do a lot quickly
- adapt to communities and their culture
- deliver outcomes rather than just talking
- recruit and retain the right staff to deliver culturally appropriate services.

This kit has been designed in a flexible format to include other topics and resources in future. Local artist Kootji Raymond was commissioned to design the images used in the kit. NTLAC hopes this education toolkit becomes a vehicle to extending and developing the relationships built through the last twelve months and putting into practice the above principles.

Photo: Women participating in the Leadership Advisory Group 28 October 2015, from bottom left to right: Eileen Cummings, Rebecca Wanganeen and Libby Scholz. Top Right to left: Seranie Gamble, Margaret O'Brien, Moogie Patu, Regina Bennett, and Cheryl Ah Kit.

Acknowledgments

The Larrakia People are the Traditional Owners of the land on which this Project has been carried out. The Project acknowledges and pays respect to Larrakia People past and present and is grateful for the opportunity to work in this beautiful country.

This Project relied on the expertise of key individuals and service providers, many of whom volunteered their time to assist and guide us. We thank everyone who has participated in and attended the leadership meetings, community and stakeholder community consultations, and education trials that have helped us shape the project.

We thank in particular:

This Project relied on the expertise of key individuals and service providers, many of whom volunteered their time to assist and guide us. We thank everyone who has participated in leadership meetings, community and stakeholder community consultations, and education trials that shaped the project. We especially thank:

- Helen Fejo-Frith
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- Rosie Baird
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- Ronnie Agnew
- Steven Torres-Carne
- Bruce Lee King
- James Gaykamangu
- Michael Petterson
- Jason Hampton
- The late Mr. Timber
- Phillip Goodman
- Des Campbell
- Charlie King
- Daniel Fejo
- Tony Lee
- James Parfitt
- Mark Munnich

Community Law Toolkit

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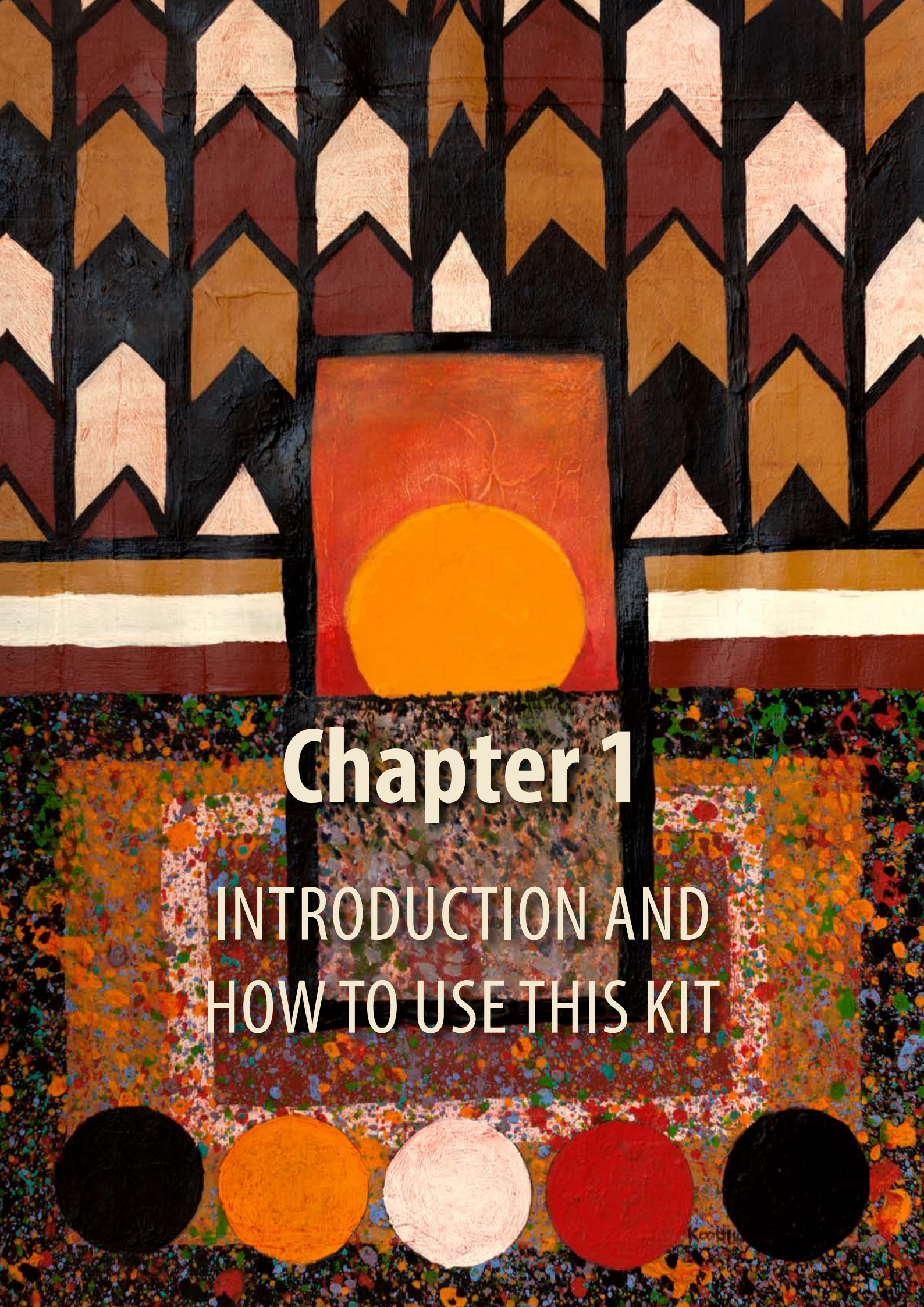

Chapter 1

INTRODUCTION AND HOW TO USE THIS KIT

Chapter 1

Introduction and how to use this kit

1.1 Why deliver community legal education (CLE)?

1.2 Who is this CLE toolkit for?

1.3 How to use this toolkit?

1.4 Cross cultural information for educators

1.5 Where to get more information

1.1 Why deliver community legal education (CLE)?

The aim of CLE is to develop people's understanding of the law and legal processes . Giving people information provides knowledge that can improve people's lives and reduce disadvantage.

By learning their rights, people and communities can more easily manage common legal issues. People can also gain skills to try and change unfair laws or policies. With improved knowledge, skills, positive beliefs and relationships, people may participate more fully in society[1].

Community legal education tries to build critical understanding of the legal system and raise consciousness of justice and rights. CLE involves learning:

- information (facts and key ideas)
- skills (how to do something)
- attitudes (beliefs about what is fair and just)
- processes (how a system works).

1 NACLC 2010, Goldie 1997, Nash 2001, Nicoll 1987

1.2 Who is this CLE toolkit for?

This toolkit is for service providers and lawyers working with Aboriginal people living in Darwin Aboriginal communities. The toolkit is also for people in Darwin Aboriginal communities who already provide assistance and guidance to people and services in their own communities.

We use the word 'educators' in this kit to describe anyone who is delivering community legal education and information. This includes staff of legal services and other agencies working with the community.

It may also include members of the community in leadership or helping roles, providing assistance and guidance to people and services in their own communities. This toolkit is written to support educators to better understand how to identify, respond to and resolve legal issues and share this with communities.

When delivering CLE, we all take on the role of educator. Being an educator is different to being a lawyer, social worker, leader, advisor or teacher. It is taking on the job of enabling others—service providers or community members—to learn about, discuss and better understand the law.

The frameworks, information, learning activities and contacts in this toolkit have been compiled in consultation with the Project's Aboriginal Leadership Advisory Group, and with Aboriginal people living in Darwin Aboriginal communities. There has also been input from people experienced in designing and doing community legal education with these communities.

The toolkit is written to educate frontline service providers and community leaders. However, the information and activities in this toolkit can be delivered to a range of audiences.

When planning an education activity, it is best to get advice and guidance from Aboriginal staff members and key contacts in a group. Wherever possible, provide training for key contacts on the material first. Then involve staff and leaders in planning sessions for community members. Successful programs recognise that community education is most sustainable when it is done by people who understand and are connected with the community. This may mean that some advance planning is needed to find ways to recognise people's time and expertise.

1.3 How to use this toolkit

This toolkit provides a range of resources for delivering CLE to Aboriginal people living in Darwin Aboriginal communities. The toolkit outlines the main legal messages on each issue, where to get legal help, and links to more information. The kit could be used to:

- train service providers about legal issues
- get ideas or inspiration for a session you are planning
- choose one or more activities that fit your group and situation.

Further information about the toolkit project is in the full-page report attached at the end.

When planning community legal education, it is important to first find out what has happened before in that group or community.

This chapter (Chapter 1) explains how to use the toolkit and explains the principles for design and delivery of legal education with services and people working in Darwin Aboriginal Communities.

Other chapters include:

- Chapter 2: Money
- Chapter 3: Housing
- Chapter 4: Domestic Violence
- Chapter 5: Child Protection

Each chapter has the following structure:

1. Introduction
2. Key legal messages
3. Learning activities
4. Handout materials
5. More information
6. Where to get help

Throughout the toolkit there are boxes with HELPFUL TIPS. These are the important messages for each section, including ideas for educators, background information, hints on planning an education session and places and people for information.

HELPFUL TIPS:

Planning community legal education

Plan each education session carefully to fit the audience, their understanding, interests, history, current situation, strengths and skills.

Spend at least one hour of preparation time for every one hour of education to be delivered.

- More time may be needed for new or complex topics.
- To ensure consultation and collaboration with other people and organisations, allow more time in advance.

1.4 Cross cultural information for educators

Cultural competence is about our will and actions to build understanding between people. This includes:

- showing respect and openness to different cultural perspectives
- working to strengthen cultural security
- working towards equality of opportunity.[2]

Relationship building is fundamental to cultural competence. This means that work is then based on understanding each other's expectations and attitudes, creating a foundation of trust and building on the strength of each other's knowledge. It works best when relationships are formed with a range of community members and incorporate their understandings.[3]

When doing CLE, educators are more effective if they are aware of and respect cultural sensitivities. This includes recognising and acknowledging the resilience of Aboriginal people and communities' survival in the face of historical and current injustices.

Especially when talking about legal rights, it is important to consider the current and historical experiences of Aboriginal people. Many Aboriginal people and families in the Darwin community have had traumatic experiences which continue to affect them. These may include dispossession from traditional lands, denial of citizenship and basic rights, negative experiences with police, economic and social marginalisation, discriminatory and paternalistic protection and assimilation policies, forced child removal, and destruction of culture and identity. In response to this, people may have some mistrust of government and legal institutions.

2 What does it mean to be culturally competent? Australian Children's Education and Care Quality Authority

3 Ibid.

Learning about local and general aboriginal history provides context for the complex social issues that Aboriginal people experience today including poverty, racism, intergenerational trauma and poor socio-economic outcomes that contribute to high levels of legal need.

Service providers have an obligation to ensure their engagement with Aboriginal people and communities is respectful and well-informed so that services are useful and effective, and delivered in fair and just ways that do not mirror past practices of discrimination.

HELPFUL TIPS:

Partnering and cultural competence

Aboriginal community controlled organisations are established in order to offer more effective, culturally competent services that are developed and determined by and for Aboriginal people. Partnering with and supporting these services where appropriate can ensure good education programs are planned and delivered.

Non-Aboriginal specific services operating in the sector have an important role in offering choices, filling gaps and complementing Aboriginal services by working closely with them and community leaders to be culturally aware, competent and effective.

Educators and service providers working with Aboriginal people should try to understand people's responses to past experiences with an open, non-judgemental attitude.

It is essential that anyone working with Aboriginal people and communities undertake cross cultural training to develop the knowledge, skills and attitudes to work in a sensitive and respectful manner. Cross-cultural training is different from cultural awareness programs that share the customs of one group. Effective cross-cultural training includes:

- learning frameworks for understanding how values differ between cultures
- increasing self-awareness of your own values and how they affect your interactions
- acquiring skills for and ways of working with people from diverse backgrounds
- understanding the complex history of Australia and how it impacts on Aboriginal people

- specific cultural awareness about Aboriginal people and groups in the area in which one works, including language, customs and history. This can usually be arranged through local Aboriginal corporations, for example, in Darwin, through Larrakia Nation Aboriginal Corporation Cultural Knowledge Unit
- applying the knowledge in practical settings
- ongoing reflective learning—cultural competence is an ongoing process

A number of different specialists in the Darwin region combine cross-cultural learning and information about Aboriginal history and culture. Contact NTLAC or your peak body for references to suitable trainers.

Throughout this toolkit, we use the term Darwin Aboriginal communities because Aboriginal people in the Darwin area are from diverse backgrounds and may also identify with more than one ethnicity and or Aboriginal language, land or community group. Aboriginal people in Darwin may have local Larrakia connections, or may have moved to Darwin from elsewhere in the NT or interstate, recently or a long time ago. It is important to be aware of and sensitive to this diversity and not assume all Darwin Aboriginal communities and people have the same experiences, needs and issues.

Creating a safe learning environment

Adult education is based on two-way learning. Every participant brings to any session their own life experience. Their knowledge and experience is to be respected and valued.

Audiences for education sessions in Darwin may include Aboriginal staff and community members from local Aboriginal families, staff from other services, local non-Aboriginal people or people from outside of Darwin. It is important to balance the interests and knowledge of all participants. Additional resources about adult education and education with Aboriginal people are listed in section 1.5.

HELPFUL TIPS:

Some general things are important for every CLE session.

- **Country:** acknowledge the traditional owners and the country on which you are holding the session, and where possible, organise a Welcome to Country. Larrakia Nation Aboriginal Corporation provides information about these protocols. Discuss this with community contacts and Aboriginal staff members.[1]
- **Introductions:** allow participants to identify themselves and their family and/or country.
- **Safety:** create safe environments for participants—emotionally, physically and spiritually. The topics of this toolkit can trigger traumatic responses. Ensure cultural advice has been obtained and incorporated into CLE sessions. Allow time for people to think and give their views. People may want to listen more than speak. Encourage people to take time out at any time. Have support staff and contact details for counsellors available.
- **Identity:** consider the demographics of participants and educators in planning. For example, it might not be appropriate for a male to present to women, and young educators can acknowledge the life experience and knowledge of older participants
- **Time and Place:** plan sessions with community involvement to be at the convenience of participants. It is preferable to meet at culturally safe and identifiable places at times convenient to participants and with culturally inclusive food and other resources provided.
- **Confidentiality and clear boundaries:** encourage participants to avoid talking about individual or actual experiences, including using peoples' names. These may trigger emotions, and may also relate to other peoples' experiences in the room. Darwin is a small place and there may be unknown, shared experiences that are not appropriate for public discussion, for example an incident of family violence or dispute with a service provider. Additionally, if there is a disclosure in the group, the educator and all other adults present may then be subject to mandatory reporting of domestic and family violence and child abuse and neglect obligations.
- **Mandatory Reporting:** explain to participants that there are mandatory reporting requirements of domestic and family violence and child abuse and neglect which apply to all adults in the NT.
- **Respect:** avoid judgement and stereotypes.
- **Remind participants** that the information provided during sessions is not legal advice. People can be encouraged to speak privately with a lawyer to discuss legal problems.

1 http://larrakia.com/services/cultural-knowledge-unit/welcome-to-country/

1.5 Where to get more information

There are many useful places to find information about, adult learning and CLE, and Aboriginal culture and history, and law in the NT. This toolkit aims to guide educators to some of those resources. Contact cle@ntlac.nt.gov.au if you have feedback.

Information about the law

The NT Law Handbook has comprehensive, up to date information about laws in the NT:

www.ntlawhandbook.org

NT Legal Aid has links to Publications - information about the law:

www.ntlac.nt.gov.au

The North Australian Aboriginal Justice Agency has produced law fact sheets for Aboriginal people and Communities in the Top End:

http://bit.ly/2az6QJH

Darwin Community Legal Service also has factsheets about NT laws:

http://bit.ly/2fplFRm

Lawyers working with Aboriginal people

The Indigenous Protocols for Lawyers developed by the Law Society NT:

http://bit.ly/2avIcpP

The Aboriginal Interpreter Service has produced a lot of resources about Aboriginal languages in the NT and tips for communicating with Aboriginal people, including through interpreters:

http://bit.ly/2b44iRY

Information about adult learning and CLE

NTLAC coordinates the NT Community Legal Education Network—an open alliance of over 100 people and agencies working to develop and deliver CLE to people in the NT.

The network is a source of ideas and contacts and can be consulted for assistance in preparing CLE in the NT. Contact the NT Community Legal Education Network at ntclenetwork@gmail.com or via the community legal education team at NTLAC: cle@ntlac.nt.gov.au or 1800 019 343.

NAAJA promotes best practice CLE in remote communities by combining adult learning principles, traditional Aboriginal learning styles, bilingual education and intercultural communication. The approach to community development and Participatory Action Research in community legal education is outlined in the paper *Strong foundations for community based legal education in remote Aboriginal communities*[4]. Contact the NAAJA CLE team cle@naaja.org.au for a copy.

The National Association of Community Legal Centres (NACLC) has a Community Legal Education and Community Development Network. NACLC host the CLEAR database of CLE and law reform resources from around Australia[5].

NACLC has also collated a page of useful resources for people starting out in CLE[6].

General information about Aboriginal history and culture

The Aboriginal and Torres Strait Islander Social Justice Commission has a range of functions including preparing reports and conducting inquiries on a range of issues, such as family violence and the Stolen Generations. See the publications section on www.humanrights.gov.au

The National Congress of Australia's First People is a national voice for Aboriginal and Torres Strait Islander peoples, and has developed policy platforms to work towards securing an economic, social, cultural and environmental future for Australian First Peoples: www.nationalcongress.com.au

Closing the Gap: http://bit.ly/1GlTJ5n

Healing Foundation: www.healingfoundation.org.au

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) is a research, collections and publishing organisation. It promotes knowledge and understanding of Aboriginal and Torres Strait Islander cultures, traditions, languages and stories: www.aiatsis.gov.au

Trauma informed services and trauma-specific care for Indigenous Australian children: www.aihw.gov.au under the section "Indigenous Australians."

4 http://www.naclc.org.au/cb_pages/files/Strong%20Foundations%20-%20NAAJA's%20Legal%20Development%20Methodology1%20-%20AGLC%20referencing.pdf

5 http://naclc.org.au/CLEAR

6 http://bit.ly/2aPFqQY

Chapter 2

MONEY

Chapter 2

Money

2.1 Introduction to this topic

2.2 Key Legal Messages

2.3 Learning Activities

2.4 Handout Materials

2.5 More Resources

2.6 Where to get help

2.1 Introduction to this topic

Money

This chapter aims to raise awareness of money and the law. Many people experience problems with money but don't know they have legal rights about those problems. Legal services and financial counsellors can help people to work out solutions to these problems. A list of services is provided in section 2.6.

HELPFUL TIPS:

To find out if people have money problems, try asking:

- "Is anyone chasing you for money?"
- "Do you have any trouble paying bills?"
- "Can you tell me what these regular payments are on your account?"

Civil Law

Civil law covers the rights and duties that people have to each other.

This includes the duties of organisations and government departments. Police don't enforce civil law: people do.

People can use civil laws to protect themselves by knowing their rights. People can also take legal action when something is wrong. This can be formally, through the court, or informally, through complaints. People can ask for:

- compensation (money) for any damages or injury
- an apology from the person or organisation that did something wrong
- a change in policies and procedures to make sure that what happened does not happen again

Civil law has a big impact on Aboriginal people's lives. Preventing and sorting out day-to-day civil problems, such as debt, can reduce poverty and reduce the possibility the person may have contact with the criminal justice system.

HELPFUL TIPS:

Warm up activity

When talking with people or services about how law affects their lives, remind people that a range of laws protect us—not just criminal laws. A useful warmup activity is to ask each person to share one thing they did in the last week (e.g. went to work, school, or the shops, paid a bill, went fishing, cooked food, etc). Then relate each activity to an area of law. People are often surprised to learn that laws protect us in almost every aspect of our lives. Some examples of how each activity relates to an area of law are: Shopping – consumer laws; School – laws for teachers and students; Work – fair work rights; Bills – credit laws; Fishing – fisheries and boat safety; Food – consumer, housing, and health laws.

Civil laws cover many things, including:

- housing (eviction, rent, repairs, debts, bond)
- centrelink (pensions, allowances, basics card)
- complaints about government services (police, prison officers, schools, health services, child protection)
- consumers (credit, debt, car sales and repairs, scams)
- compensation (claims against police or other departments for negligence, false imprisonment, assault)
- accident compensation (claims under government schemes for motor accidents, work accidents, and victims of crime)
- forfeiture or seizure of property (police taking away a car used in a crime or alcohol brought into a restricted area)
- adult guardianship (when someone with cannot make safe decisions about their money, health and housing)
- discrimination and human rights (when people are treated unfairly because of race, disability, sexuality, gender—male, female, transgender, gender diverse, Brotherboy, Sistergirl—or age)
- death (burial issues, coronial inquests, superannuation, life insurances), and
- employment (work rights, contracts, pay, losing your job unfairly).

2.2 Key legal messages

1. Contact NT Legal Aid Helpline (1800 019 343) for free information, referral to places that can help or to book in for legal advice about money issues.
2. Australian consumer law is about consumer rights and guarantees. These include:
    - rights to a repair, replacement or refund
    - compensation for damages and loss
    - being able to cancel a faulty service.
3. Businesses communicate with consumers in many ways, through advertising, packaging, websites, logos, endorsements or sales pitches. Businesses have to give people accurate and truthful messages about the products and services they sell.
4. Australian consumer law protects against unfair sales tactics. This includes protection against telephone sales and door-to-door sales called unsolicited trading.
5. Australian consumer law protects people against contracts that have unfair conditions.
6. Say 'no' if you feel pressured by a salesperson.
7. Always read contracts carefully. Make sure you understand the conditions before signing.
8. Keep copies of the contract (or receipt).
9. If a person has a debt they have a legal responsibility to repay the money they owe. But there are laws that say debt collectors have to treat people fairly.
10. Financial counsellors can help arrange more time to pay and other help for people who are in financial hardship.
11. There are laws about giving credit to people. Credit includes lending money, giving out a credit card, time payment for goods or services, lease, or hire purchase. Credit providers must have a licence to give credit. They have to follow responsible lending practices. This includes making a reasonable effort to find out about a person's financial situation and deciding if the credit contract is suitable for the person
12. If the credit company did not check someone's finances before giving credit, they may have broken the law. The contract may not be valid.

2.3 Learning Activities

HELPFUL TIPS:

Planning

- Check Chapter 1 on how to use this kit to plan and prepare education activities.
- It is important to plan education sessions to fit the audience. The learning activities are a guide and source of ideas only.
- Before you go, find out from contacts about the people you will be talking with. What is their experience with money problems, their needs, their background knowledge, and their language and literacy skills?
- Explain to people the information you provide is not a substitute for legal advice.
- Legal information changes over time, so check for up-to-date information by contacting key services like NTLAC and NAAJA and others in the community legal education network.

Delivery

- If you can, invite a lawyer who works in civil law to assist you. They can answer questions and increase a community's access to their advice.
- Explain to people why you are talking about money. Explain how important the topic is and that it is okay to discuss money troubles.
- Consider dividing into groups of men and women separately for some of the time, ideally with a female educator with women and male educator with men, to support open, safe discussion. Money may be a factor in domestic violence and family law.

Activity: Borrowing money to buy a car—story and discussion

Running time: 30-45 minutes

What you need:

- story and questions in handout materials (2.4), printed to hand out to groups
- pamphlets/posters for local money management/financial counselling services. Helpline cards.
- service provider brochures—Darwin Community Legal Service, Top End Women's Legal Service

Aims of the activity:

To understand risks and rights when borrowing money to buy something .

To learn where to get help with sorting out debt

Key messages:

- Make sure you can afford to pay back money you borrow
- A money manager of financial counsellor can help you do a budget when you are deciding if you should borrow money
- Find out the rules of a contract before you sign it. You can say no or ask for more time.
- If you need help call NT Legal Aid Helpline on 1800 019 343

Instructions:

1. Read or give out the story "Borrowing money to buy a car" in the Handout materials
2. You can divide into small groups or discuss the story in a large group.
3. Discuss each of the following questions as you come to the facts in the story.
    - Was this a good loan for Selina and David?
    - Should the seller have loaned them the money for the car?
    - What rights did Selina and David have when the car broke down?
    - Why is Selina getting these phone calls about owing money?
    - What can she do about it?
    - Who can she go to for help?
4. What can prevent these types of problems from happening?
5. Leave time for questions from participants
6. Sum up the key messages above.

End of activity

Activity: Money skills for teenagers

Running time: 45 minutes

What you need:

- pamphlets/posters for local youth related services;
- helpline cards;
- service provider brochures—Darwin Community Legal Service, Top End Women's Legal Service

Aim of the activity:

- develop skills and attitudes to enable young people to take control of their money and prevent debt and credit issues
- to show the benefits to self, family and friends of good money sense
- to discuss how good finances enable people to achieve their goals
- to identify services that can help with money skills.

Key messages:

- you can take control of your money by having a plan (short and long term)
- your budget can fit the plan
- get information—know your rights before you buy things or enter a contract
- make good decisions about money—don't spend what you don't have
- get help if you need it from a money or legal service. Get help early.

Instructions:

1. Watch the ASIC money smart film.
2. Discuss
    - what is happening here?
    - why does the person have a lack of control?
3. Watch the next part of the film about taking control.
4. Have a set of cards with a different product and service listed on each one. Hand the cards out and ask the group to put them down in two columns: wants and needs. Discuss the differences.

5. Ask each person to draw or write on their own piece of paper in 2 columns what they want (to buy or get) and what they will need to get it. Discuss with others in the group.
    - What are your goals?
    - What does each goal cost and what money do you need?
    - What information and help do you need?
6. Watch the Alice Springs mobile phone video and the Aunty B Bookup film.
7. Following the messages about not being in control, discuss:
    - how people can find out what the results are before getting stuck.
    - how to use money wisely as part of taking control
    - taking control—what other things in life does it apply to?
8. Sum up:
    - refer back to long term goals
    - review key messages above
    - provide resources.

End of Activity

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

2.4 Handout materials

Borrowing money to buy a car—story

Selina and her ex-partner David bought a car at a local car dealer over 2 years ago. They were living in a remote community and wanted the car to visit family and do the shopping in town. The car dealer said they didn't have to pay all the money straight away. They could borrow money to pay for the car then pay some money every two weeks.

Selina didn't have a licence and wasn't working at the time. Selina was getting Centrelink parenting payments and David was working at the Shire. After a month, the car broke down on a dirt road near the community.

David and Selina were having some problems and he moved away. Selina moved to her mother Annie's place back in town. She doesn't know what happened to the car.

Money was coming out of her account for a while and then it stopped. Selina has been getting phone calls every day from a company she does not know. They say she owes them more than $20,000 and if she does not pay they will take her to court.

Divide into small groups to discuss.

Make sure you cover the key messages in section 2.2.

- What do you think the impacts of this loan are on Selina and David?
- Should the seller have loaned Selina and David the money for the car?
- What rights did Selina and David have when the car broke down?
- Why is Selina getting these phone calls about owing money?
- What can Selina do about it? Who can Selina go to for help?
- What could prevent this type of problem from happening?

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

2.5 More resources

Civil law

The Indigenous Legal Needs Project video identifies civil law issues for Aboriginal people in the NT:

http://bit.ly/2avGpB1

The DVD *Romgu Dhukarr: A Meeting of Two Laws* was produced in 2006 by legal services in the Top End about rights and responsibilities under Australian law.

It has sections on where law comes from and types of law. You have permission to show this DVD as a learning resource. The DVD is in Yolngu Matha with English subtitles but you can turn off the volume or use an interpreter.

You can order this DVD by contacting info@ntlac.nt.gov.au.

Money issues—consumer law

The Australian Consumer Competition Commission (ACCC) has lots of useful information about the law and tips for consumers:

www.accc.gov.au/consumers

Australian Consumer Law website:

http://bit.ly/1RnpaDF

The *Money Smart* website has information to help people manage their money, including what to think about when buying a car:

http://bit.ly/2awJfcm.

For detailed information, see the NT Law Handbook online chapter on consumer law and protections:

www.ntlawhandbook.org.

Little Black Book of Scams is a guide to spotting, avoiding and reporting consumer fraud.:

http://bit.ly/2ndoS8B

Consumer law information for Aboriginal and Torres Strait Islander people:

The *Money Smart* website has a whole page of information with guides, factsheets and videos targeting the needs and interests of Aboriginal and Torres Strait Islander people, including a new (2016) set of education videos:

http://bit.ly/29p2nHC

ACCC Your Rights Mob Facebook page has videos and messages on consumer issues for Aboriginal people:

http://bit.ly/2aDmxx3

Indigenous Consumer Assistance Network:

http://ican.org.au/

NT Consumer Affairs:

http://bit.ly/2aBgclj

Know Your Rights—Videos by ACCC.

http://bit.ly/2obwF6a

Be Smart Buy Smart—booklet on Australian consumer law, National Indigenous consumer strategy.

www.accc.gov.au/publications/be-smart-buy-smart

2.6 Where to get help

Legal help

NT Legal Aid Commission (free call) 1800 019 343

www.ntlac.nt.gov.au

North Australian Aboriginal Justice Agency (free call) 1800 898 251

www.naaja.org.au

Darwin Community Legal Service (free call) 1800 812 953

www.dcls.org.au

Top End Women's Legal Service (free call) 1800 234 441 or (08) 8982 3000

www.tewls.org.au

Financial counselling

Anglicare NT (08) 8985 0000

www.anglicare-nt.org.au

Somerville Community Services (08) 8920 4100

www.somerville.org.au

Mission Australia (08) 8935 0900

www.missionaustralia.com.au

NT Consumer Affairs(free call) 1800 019 319

www.consumeraffairs.nt.gov.au

Chapter 3

HOUSING

Chapter 3

Housing

3.1 Introduction

3.2 Key legal messages

3.3 Learning activities

3.4 Handout materials

3.5 More resources

3.6 Where to get help

3.1 Introduction to this topic

This chapter aims to raise awareness of some common problems with housing and how to get legal help.

Aboriginal people living in Darwin Aboriginal town communities such as Bagot, Palmerston Indigenous Village and Knuckey's Lagoon live in community housing owned by the leaseholders. Property management like repairs and maintenance is done by Yilli Rreung Housing.

In Belyuen, Acacia and Amangul Aboriginal communities, the NT Government provides public housing.

Aboriginal people living in Darwin Aboriginal communities may not know who they pay rent to or who can make repairs to their home. This toolkit provides information on where to get help.

HELPFUL TIPS:

To identify if people have housing problems, you can try asking:

"Do you know who you pay rent to and how much you're paying?"

"How many people live at your house? How is that going for you?"

"Does anything need fixing?"

If people don't know about their rent, live in overcrowded conditions or have repair and maintenance problems they can speak to a lawyer to get information and help with their housing.

3.2 Key legal messages

1. Contact NT Legal Aid Helpline (1800 019 343) for free information and referrals or to book in for legal advice about housing problems.
2. The Residential Tenancies Act is the law that says what to do if there are problems between the landlord and tenant and lists the rights and responsibilities of:
    - tenants (people living in houses)
    - landlords (the people controlling or owning the houses)
3. A tenancy agreement is the contract between the landlord and tenant about a house (also called a lease). It includes:
    - what rent to pay
    - what the tenant should do (e.g. look after the house)
    - what the landlord promises to do (e.g. respecting the tenant's privacy)
4. Condition reports are papers that say what the house is like when tenants move in. It says if things are new, in good condition or damaged.
5. Tenants need to check the house when they move in and write down any problems on the condition report. Then the landlord cannot try to make them pay for things already broken or damaged when they moved in.
6. A landlord cannot rent a house to anyone unless it is empty, clean, safe and secure. It needs to be fit for people to live in with electricity, water, toilets, showers and cooking facilities. If these things are not working, the landlord must fix them.
7. Tenants have responsibilities:
    - to pay the rent on time
    - to keep the property clean and tidy
    - to not damage the property on purpose
    - to not let other people live in the house without the landlord's permission
    - to tell the landlord (in writing) if things are broken.
8. The landlord must have a good reason to make tenants leave the house (eviction). There are rules they have to follow. It is important that tenants get help as soon as possible to understand any letters, documents or notices they are given. It is good to try to solve any problems early before they get hard to work out.

3.3 Learning Activities

HELPFUL TIPS:

Planning

- Check Chapter 1 on how to use this kit to plan and prepare education activities.
- It is important to plan education sessions to fit the audience. The learning activities are a guide and source of ideas only.
- Before you go, find out from contacts about the people you will be talking with. What are their needs, their background knowledge, and their language and literacy skills?
- Explain to people the information you provide is not a substitute for legal advice.
- Legal information changes over time, so check for up-to-date information by contacting key services like NTLAC and NAAJA and others in the community legal education network.
- Check the facilities and equipment where you will be working. Do they have a DVD player or anything else you may need? Do they have internet access to show Youtube clips?

Delivery

- If you can, invite a lawyer who works in civil law to assist you. They can answer questions and help to encourage people to see a lawyer in future.
- Explain to people why you are talking about housing. Explain how important the topic is and that it is okay to discuss housing troubles.
- Consider dividing into groups of men and women separately for some of the time. Ideally, use a female educator with women and a male educator with men to support open, safe discussion. Housing may be a factor in domestic violence and family law.

Activity: Story & discussion—Raising awareness about housing issues

Running time: 30 - 45 minutes

What you need:

The story below, copied, printed and laminated to hand out in groups

- Pamphlets / posters for local housing, civil law and related services;
- Darwin Community Legal Service, Top End Women's Legal Service, NAAJA, NAAFLS
- NT Legal Aid Helpline cards

Aim of the activity:

To discuss common housing problems people face and how to get help.

Key messages:

1. Find out who owns the house you are living in. They have to look after the house and make sure it is safe and fit to live in. If something breaks tell the landlord (in writing) and they should fix it.
2. Tenants have to pay rent, keep the house clean and not break things on purpose.
3. The landlord must have a good reason and follow rules to make tenants leave. Get help as soon as possible to understand any letters, documents or notices you get.

Instructions:

1. Read out or give out then read the story of Rose and Johnny.
2. Split into small groups or discuss as one group.
3. Watch the film "Renting In community" and discuss the main messages in this story.
4. Sum up the key messages above and answer any questions.

End of activity

3.4 Handout materials

The Story of Rose and Johnny

1. Rose and Johnny live in a 3 bedroom house in a Darwin community with their three children.
2. They live with Rose's Auntie, called Annie, and also her daughter Selina and Selina's children.
3. Rose and Johnny share a room with their kids, Annie has a room to herself and Selina is in the third room with her kids.
4. One day, Johnny turns on the shower and the water pressure is weak. The shower head is leaking out of the side onto the tiles. The tiles are coming off the wall. This has been getting worse for a few months now.
5. The stove is broken so Rose usually cooks on a gas cooker.
6. Annie's eyesight is fading and Johnny doesn't read well.
7. Rose sometimes reads the mail but sometimes the kids take the letters and draw on the paper before anyone gets to read it.
8. Rose doesn't understand why they are getting warning notices. It says something about termination and eviction for not paying rent. She does not think they have to pay rent when the house needs so many repairs. She never signed any documents about living at the house.
9. Rose also thinks she might be paying rent for a house out bush where they used to live.

Discussion questions:

- Who is responsible for paying rent in this house?
- How can the shower and stove get fixed?
- Should this extended family be kicked out of the house?
- What are the options to improve the housing situation of this family?
- Where can people get help with housing issues?

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

3.5 More resources

In 2013, NT Legal services made a video story called Renting in Community in a number of different languages. It is about remote communities but still relevant to Darwin communities. It explains basic rights when you are a tenant—someone who rents a house:

https://www.youtube.com/watch?v=t__J8D92xuA

There is also a written guide to help understand the rights and rules for people renting in communities:

http://www.ntlac.nt.gov.au/legal_info/files/HousingBooklet.pdf

For plain language legal information and links to other resources see:

www.lawinfont.org.au

More detailed information about housing laws are in the NT Law Handbook, which is found online:

www.ntlawhandbook.org

NT Department of Housing have many policies about public housing:

www.housing.nt.gov.au/about_us/publications

Yilli Rreung Housing Aboriginal Corporation:

www.yillihousing.com.au/

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

3.6 Where to get help

Yilli Rreung Housing (08) 8935 0111

www.yillihousing.com.au

Anglicare NT (08) 8985 0000

www.anglicare-nt.org.au

Click on Services, Housing And Tenancy Support Services

Catholic Care NT (08) 8944 2000

www.catholiccarent.org.au

Department of Housing (Darwin) (08) 8999 8814

Department of Housing (Palmerston) (08) 8999 4767

https://nt.gov.au/property/public-housing/contact-your-local-housing-office

NT Ombudsman (free call) 1800 806 38

www.ombudsman.nt.gov.au

Chapter 4

DOMESTIC AND FAMILY VIOLENCE

Chapter 4

Domestic and Family Violence

3.1 Introduction

3.2 Key legal messages

3.3 Learning activities

3.4 Handout materials

3.5 More resources

3.6 Where to get help

4.1 Introduction to this topic

This chapter aims to increase understanding of the NT law on domestic and family violence.

Safety is a basic human right. Everyone has the right to be safe and live in a society free from violence. The whole NT community has very high rates of domestic and family violence:

- more than 60% of NT assault offences are linked to domestic violence
- 82% of NT domestic violence victims are women
- more than 70% of sentenced prisoners in the NT have one or more convictions of domestic violence related offences
- 73% of domestic violence survivors in the NT are Aboriginal and Torres Straight Islander women and girls
- Aboriginal and Torres Strait Islander women are almost 22 times more likely to be victims of domestic violence than non-Indigenous women[1]

NT mandatory reporting laws say that everyone is responsible for reporting domestic and family violence to the police. (See mandatory reporting handout in section 4.4). This includes:

- if someone is seriously hurt
- if someone is in danger of being hurt.

The learning activities use a strength-based approach. This builds on the experiences and knowledge of participants to promote positive and respectful relationships, and increase participants' understanding of domestic and family violence.

Learning activities include stories, role-plays and discussions that explore:

- how the law says a family or domestic relationship
- what types of behaviour can be domestic or family violence
- how does NT law responds to domestic or family violence
- ways to prevent domestic violence.

1 http://www.domesticviolence.nt.gov.au/

4.2 Key Legal Messages

1. Domestic and family violence is a pattern of physical, emotional and/or psychological behavior, by a current or former partner, family, or household member, who intimidates, controls or causes fear in the relationship.
2. In any emergency, the police can help to protect people and keep them safe. Call the police as soon as possible on 000.
3. NT mandatory reporting laws say that everyone is responsible for reporting domestic and family violence to the police (see handout in section 4.4).

   This includes:

   - if someone is seriously hurt
   - if someone is in danger of being hurt.
4. Report violence or danger as soon as possible and when it is safe for you and the survivors of violence. Report domestic violence to the police on 131 444.
5. Domestic violence orders (DVOs) can be made by the police or the court to protect people experiencing domestic and family violence. These orders make rules to prevent further violence by stopping the person doing certain things.
6. There are many different types of rules that can be in a DVO. For example:
   - no contact between the people
   - making someone move out of a house
   - stopping someone damaging property
   - not exposing children to domestic and family violence.
7. When police make a DVO, you should get legal advice as soon as possible, before court. The court will try to make sure the right type of DVO is in place.
8. There are free support services available in the NT for people who experience domestic and family violence. There is legal advice and help at court from:
   - the Domestic Violence Legal Service in Darwin
   - the NT Legal Aid Commission (for people throughout the NT)+
   - the North Australian Aboriginal Justice Agency across the Top End
   - the North Australian Aboriginal Family Legal Service
   - See section 4.6 for more services

9. There are criminal consequences to punish people who commit some types of domestic violence like, physical violence.
10. There are also criminal consequences for breaking a DVO. If someone is guilty of breaking a DVO twice and harming the other person, there is a mandatory sentence of a minimum of 7 days in prison.

Common legal words used in domestic violence orders (DVOs):

Applicant: The person who asks for the DVO.

This is either the protected person or the police.

They must be at least 15 years old.

If they are between 15 and 18 they must ask the court for special permission

Protected Person: The person the DVO is trying to protect.

The order can list more than one protected person and can include children.

Defendant: The DVO is an order made against one person to stop them being violent towards a current or former partner, family, or household member.
This person is called the defendant.
They must be 15 years and over.
You can't make an order against 2 people—just one person per order.

Vary: To change the conditions or rules of the order.

Revoke: To stop or get rid of the order.

Consent: Agree.

Breach: Break the order. Not following the rules in the DVO.

Adjourn: Put off a court matter to another day.

4.3 Learning Activities

HELPFUL TIPS:

Planning

- Check Chapter 1 on how to use this kit to plan and prepare education activities.
- It is important to plan education sessions to fit the audience. The learning activities are a guide and source of ideas only.
- Before you go, find out about the people you will be talking with. What is their experience with domestic violence, their needs, their background knowledge, and their language and literacy skills?
- Explain to people the information you provide is not a substitute for legal advice.
- Legal information changes over time, so check for up-to-date information by contacting key services like NTLAC and NAAJA and others in the community legal education network.

Delivery

- If you can, invite a lawyer who works in domestic violence law to assist you. They can answer questions and increase a community's access to their advice.
- Explain to people why you are talking about domestic violence. Explain how important the topic is and that it is okay to discuss domestic violence.
- Consider dividing into groups of men and women separately for some of the time. Ideally use a female educator with women and male educator with men to support open, safe discussion.
- It is always good to start off by saying that it is a general discussion and not to raise individual experiences. If someone wants to talk about a personal matter, they should make time at the break or after to chat privately. If someone gets upset and needs to leave, the second educator should support them.

Activity: Who is in my family? What is a domestic relationship?

Running time: 15-30 minutes

What you need:

- paper and markers

Aim of the activity:

This activity helps people understand the wide range of relationships that are considered domestic and family relationships under NT laws.

It is designed to build trust and relationships between participants and educators. Where appropriate, educators should join in and share something about their family.

Key messages:

The law says there are many kinds of domestic (family/household) relationships: It includes current relationships and some that are finished:

- marriage and de facto (living together) relationships (including same sex) and traditional marriage by customary law
- mothers, fathers, sisters, brothers, aunts, uncles, cousins, step-parents, in-laws
- relatives by tradition or cultural practice
- boyfriends and girlfriends, even if they are just dating and don't have sex. This includes same-sex and opposite-sex, ex-boyfriends and ex-girlfriends
- people who live together now or used to live together. Not just family but also house-mates
- someone who is family with someone they have lived with (e.g. the mother of a former house-mate or ex-partner)
- people who are (or were) in a carer relationship that means one of the people depends on paid or unpaid care by the other, even if they don't live together

Instructions:

1. Give each person a piece of paper and markers.
2. Ask each person to draw the outline of a house or a circle. (If people don't have fixed housing, the circle can show who is in the family and take the emphasis off the house.)

3. Ask people to draw or write the people that they live with or who are in their family circle.
4. Outside the house/circle, ask people to draw the people who are 'family' who don't usually live in the same house/place.
5. Ask each person to show and explain their picture. If people do not volunteer to share with the group, they can do this in pairs or have a group discussion.
6. Discuss all the people who might be part of family/households (e.g. house-mates, extended family, friends, ex-partners, step-children and parents). Discuss who lives in the community and who comes to stay with the participant.

End of activity

Activity: What is domestic violence?

Running time: 15-20 minutes

What you need:

- markers and butchers paper, blue tac, name tags
- cards with words describing behaviours that can be domestic violence (see section 4.4 – handout materials). You can print and laminate these to use them again.

Aim of the activity:

To understand the different types of domestic violence and the types of behaviours that might be violent.

Key messages:

Violence is not just physical.

Instructions:

1. Break participants into 6 pairs or small groups. Give each one card. If less than 6 groups you can give some groups two different cards.
   The cards show the following words:

HURTING someone physically	DAMAGING someone's property
THREATENING someone verbally	TAKING someone's credit card
HARASSING someone repeatedly	STALKING someone

2. Give each group 5 minutes to make up a short story that shows the type of behaviour on their card.
3. Each group presents their story to the whole group. (They can act it out if they want.)
4. At the end of each story, the whole group will discuss what type of behaviour was shown.
5. Ask the group if they think it is domestic violence. Why/why not?

6. Does the group think the action is against the law?
7. Discuss the ways in which some behaviours might be domestic violence in some situations but not others. For example, people may feel as though they want to keep money away from a partner who gambles or drinks a lot. In other situations, keeping someone's money is a form of economic abuse.

End of activity

Activity: Family problems: your rights when things go wrong (DVD presentation)

Running time: 15-20 minutes

What you need:

- DVD "Family Problems: Your Rights when things go wrong"
- Computer, projector and speakers or TV and DVD, or other way of showing DVD. This is available on NT Legal Aid's YouTube channel: www.youtube.com/user/NTLegalAid

Aims of the activity:

To show the processes for resolving domestic violence situations using legal and other services.

Key Messages:

1. DVOs can be used to stop different types of violence and behaviours for example drinking, seeing each other, physical violence, etc. They are not only full non-contact.
2. The police can apply for a DVO for someone even if they do not want it.
3. There are different ways to get a DVO, including police DVOs and DVOs through a lawyer and the court
4. Legal services can help you to change a DVO when your situation changes.
5. You can get legal help from NTLAC, NAAJA, NAAFLS, TEWLS and other services if you are involved in domestic violence—either as a protected person or the subject of the order.

HELPFUL TIP:

This DVD was created for use with Aboriginal people in the Tennant Creek region. These issues occur in families throughout the NT and Australia. It was produced by NT Legal Aid and we have permission to use the film for education purposes throughout the NT.

Instructions:

1. Before you show the film, warn audiences that the film may contain voices or scenes of Aboriginal people who may be deceased.
2. Give a brief introduction including a simple definition of domestic violence and why you are watching this film.
3. Stop the DVD after relevant sections and discuss what has just occurred. Some ideas for where to stop are the parts showing:
    - the types of behaviour that the DVO can be used to prevent
    - that the police can apply for a DVO on someone's behalf whether they are supportive of this or not
    - that there are different ways to get a DVO, including police DVOs and DVOs through a lawyer
    - that legal services can help you to change a DVO to suit your situation.

End of activity

Activity: DVO Story and Role Play

Running time:

- 5 minutes introduction
- 20-30 minutes small group discussions
- 10 minutes if full group discussion only

30 minutes if role play and full group discussion

What you need:

Ideally, 4 educators/staff so one can work with and support each group, or 2 educators to go between the groups to help them.

Handouts—on separate cards/pages that are laminated for re-use (see Section 4.4):

1. Trevor and Kira's story handout (section 4.4)
2. Handout Information relevant to each group – Police, Trevor, Kira and Judge (in Section 4.4)
3. Examples of different types of DVO's made by police and made at court (NAAJA posters)

For the role play activity:

- a judge's robe and hammer for the magistrate
- a police officer's hat or another uniform item
- wig/glasses/dress/shirt to distinguish Kira and Trevor
- a briefcase, files and tie for any lawyers.

Aim of the activity:

To explore and understand the court process and reasons for a DVO

Key messages:

1. There are many kinds of domestic violence.
2. Violence can be physical, also emotional and psychological, financial, and includes damaging property or pets, threatening, hassling or stalking.
3. It is the police's role to make sure everyone is safe. Call 000 in an emergency.
4. Domestic violence orders (DVOs) are not there to punish people for what they did. They may be charged with a crime for harm they already did.
5. DVOs are there to protect people by trying to stop more violence.
6. Everyone has a responsibility to report domestic violence.
7. Everyone has the right to be safe from harm.
8. Everyone has the right to legal help—even if they did something wrong

Instructions:

1. Read the story out loud or ask the group members to read it out if possible (5-10 minutes).
2. Split into 3 or 4 groups. Explain the activity and that each group will be one of the characters in the story.

GROUP 1: police and their lawyers

GROUP 2: Trevor – and his lawyers

GROUP 3: Kira – and her lawyers

GROUP 4: judge/s (if not enough people the educator can be the judge)

3. Each group gets a copy of the story (handout page) and a handout for their group with more information.
4. Group work (25 -30 minutes):

- if possible, one educator or helper to work with each group
- groups to read the story again and the extra information they have
- discuss what are some ways to deal with the problem without police?

  4.1 what DVOs, if any, should continue?

  4.2 what should they tell the court?

  4.3 how can a lawyer help with this situation?

  4.4 should there be a domestic violence order against Trevor? Against Kira?

  4.5 what kind of order should it be?

  4.6 what rules can help them be safe and change how they act?

- Each group can talk to the other groups if they need to check something.

5. OPTION ONE: DISCUSSION (10 minutes)

   - Return to large group.
   - Ask a volunteer from each group to read out their additional information.
   - Each group can also report back on how they responded to the discussion points.
   - Discuss what the court might decide and why.
   - Go through key messages.

OPTION 2: ROLE PLAY (30 minutes including discussion)

Ask each group to choose volunteers to act as Trevor and his lawyer, Kira and her lawyer, the police and their lawyers, and the judge. The groups can work together and share the roles if they want.

You may also get other participants to play friends, family and counsellors

This activity will need a large amount of flexibility from the educator

It also depends on the participants' ability to understand the court process

The way it unfolds will depend on the participants themselves. The educator should clarify anything about the law where possible, or know where to refer people for individual advice and complex matters.

- Set up the room for a court hearing.
- Each group will speak in court.
- The Judge has to decide if the two DVOs should continue, stop or change.
- After the court decision, talk about what happened and if it was fair (10 minutes).

To finish, ask the participants what they have learned from the session.

6. OPTIONAL ENDING: WHAT HAPPENS NEXT IN THE STORY

Sometimes people want to know what happened after the court decision. For this story, you may want to provide a happy ending, for example:

- The judge gave a no drinking DVO to both Trevor and Kira.
- Trevor and Kira can still go out but not see each other when they have grog
- After a time, this DVO ended and there was no more trouble
- Trevor went to do a program. He changed his behaviour and got a job
- After a year Kira and Trevor are still going out together
- They try to talk about their problems and work them out instead of fighting
- They both work full time now and have saved up some money so they can move into a flat together

7. DVO STORY / ROLE PLAY DISCUSSION

Ask the group to talk about what happened and how it went. Questions to ask:

- What did each group do?
- Did they do the right thing?
- What if they can't agree?
- What do you think about the judge's decision? Was it right by law?

Note that to make a DVO, the law says the judge must have proof that:

- there is a domestic relationship
- there was one or more kinds of domestic violence (physical, threatening, financial, property, stalking, hassling)
- there is reasonable fear that there will be more violence if there is no order (DVO).

End of activity

4.4 Handout materials

Handout Cards for activity: What is domestic violence?

HURTING someone physically	**HARRASSING someone repeatedly**
DAMAGING someone's property	**THREATENING someone verbally**
TAKING someone's money/card	**STALKING (following) someone**

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

Example DVO handout

EXAMPLE APPLICATION FOR A DOMESTIC VIOLENCE ORDER

FORM 2
NORTHERN TERRITORY OF AUSTRALIA

Domestic Violence Act

Section 4

APPLICATION FOR RESTRAINING ORDER

APPLICANT: Name: **Jane Doe**

DEFENDANT: Name: **John Doe**
Address: 15 Sesame Street, Harbour Town NT

BASIS OF APPLICATION:

Details of the Defendant's relationship to the Applicant: Husband

1. The Defendant has assaulted or caused personal injury to the Applicant and is, unless restrained, likely again to assault or cause personal injury to the Applicant;

2. The Defendant has threatened to assault or cause personal injury to the Applicant and is, unless restrained, likely again to make such a threat or to carry out such a threat;

~~3. The Defendant has damaged property in the possession of the Applicant and is likely, unless restrained, again to cause damage to property in the possession of the Applicant;~~

~~4. The Defendant threatened to damage property in the possession of the Applicant and is likely, unless restrained, again to make such a threat or to carry out that threat;~~

5. The Defendant has behaved in a provocative or offensive manner towards the Applicant; the behaviour is such as is likely to lead to a breach of peace including, but not limited to, behaviour that may cause the Applicant to reasonably fear violence or harassment from the Defendant and the Defendant is, unless restrained, likely again to behave in the same or similar manner.

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

Example DVO handout

EXAMPLE APPLICATION FOR A DOMESTIC VIOLENCE ORDER

RESTRAINING ORDERS YOU WANT THE COURT TO MAKE:

The Defendant:

1. not approach or remain at any place where the Applicant is living, staying or working;

2. not approach the Applicant directly or indirectly except through a solicitor or third party for the purpose of exercising contact as agreed or pursuant to an Order made under the Family Law Act;

~~3. not contact the Applicant directly or indirectly;~~

~~4. not damage or threaten to damage property in the possession of the Applicant;~~

5. Not assault or threaten to assault the Applicant directly or indirectly; and

6. not act in a provocative or offensive manner towards the Applicant.

DETAILS OF CONDUCT OF THE PERSON TO BE RESTRAINED:
See the attached Affidavit.

DETAILS OF ORDERS NOW IN FORCE: NIL

Signed: _____

Solicitor for Applicant

Dated:

Place: Harbour Town

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

Example DVO handout

EXAMPLE APPLICATION FOR A DOMESTIC VIOLENCE ORDER

NOTICE TO PARTIES

An application has been made asking the Court of Summary Jurisdiction or the Clerk to make a Restraining Order against the Defendant.

THE APPLICATION WILL BE DEALT WITH:

by the Court of Summary Jurisdiction or the Clerk, at Landing Street at Harbour Town in the Northern Territory

on

at **10.00 am**

The Defendant must attend the hearing at the court on the day set out above if he/she wishes to defend the application.

IF THE DEFENDANT DOES NOT APPEAR IN COURT, the Court or Clerk may make the Orders set out in the application or other similar Orders in his/her absence.

A restraining order made in the Northern Territory may be registered and enforced, without notice to the defendant, in a State or another Territory of the Commonwealth or in New Zealand if there is a law in force in the relevant jurisdiction to provide for the registration and enforcement of the order.

Clerk:

Date:

Place:

Notes page

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DVO story role play group handout—all groups

(Give this to all the groups so they have the story facts.)

TREVOR AND KIRA'S STORY

1. Trevor and Kira have been going out for about a year
2. They live in different places but most weekends they stay together
3. Kira had her 18th birthday party at her Auntie's house
4. Friends and family came to the party and there was lots of drinking
5. Trevor was talking to other girls and Kira got jealous
6. They had a big shouting argument in front of everyone
7. Then Kira pushed Trevor and he fell down
8. Trevor belted Kira
9. Someone called the police
10. The Police gave Trevor and Kira both a Domestic Violence Order (DVO)
11. The cases are on the domestic violence list at the local court on Friday 15 December

Discuss the following questions:

- what DVOs, if any, should continue?
- what should they tell the court?
- how can a lawyer help with this situation?
- should there be a domestic violence order against Trevor? Against Kira?
- what kind of order should it be?
- what rules can help them be safe and change how they act?

Notes page

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DVO story role play group handout—police only

(Give this to the police group.)

POLICE FACTS

1. Trevor is tall with a solid build.
2. He has a history of drug and alcohol abuse.
3. Trevor has a history of hurting ex-girlfriends.
4. Police were called to break up a fight at a party.
5. Trevor appeared very drunk. He was slurring his words and could not stand up well.
6. His knuckles were swollen and grazed but he had no other injuries on his body.
7. Police took him to lockup in the truck.
8. Police charged Trevor with a crime called aggravated assault.
9. Police let him go on bail the next day.
10. Kira is short and skinny.
11. Kira has been in trouble for having drugs in the past.
12. When police got to the party Kira had injuries on her face and cuts on her head.
13. She lost some blood. Her face was swollen. It was hard for her to breathe.
14. Kira was drunk. She shouted abuse at Trevor and threatened him and another girl.
15. Kira went to hospital to get her injuries fixed up.
16. Police went to the hospital to get her story but Kira said she couldn't remember what happened and does not want any trouble for her or Trevor.
17. Police are worried Trevor will hurt Kira again and her injuries will be worse.
18. Police made a DVO to protect Kira and stop them seeing each other any more.

Notes page

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DVO story role play group handout—Trevor's group only

(Give this to Trevor's group.)

TREVOR'S STORY

1. In my family when I was growing up there was lots of fighting.
2. I went to live with my uncle who grew me up. He died recently and I feel very sad.
3. Kira's cousin Casy was being nice to me at the party. She knew that old man well.
4. Kira was too busy partying and getting wasted and paid me no attention.
5. I think she was angry I didn't get her a present but I lost my job the other week so I have no money.
6. Then Kira yelled at me being jealous but there was no reason.
7. She shamed me in front of my mates.
8. When Kira pushed me I fell over cos I didn't expect it and I was a little bit drunk.
9. That made me look really bad and I felt wild.
10. I only get angry if I have too much to drink or smoke and Kira makes me do it.
11. She should have known how sad I was and I was only talking to Casy.
12. I am sorry I hurt Kira—I love her and want to be with her.
13. She should look after me and show respect in front of other people.
14. I'm not scared of Kira—I just fell down 'cos I was out of it.
15. I don't want any orders from police or the judge. I don't want to come back to court about this. I just want to move on and be good.
16. I agree to go to counselling or do a program to try and be less violent and have less grog and ganja.

Notes page

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DVO story role play group handout—Kira's group only

(Give this to Kira's group.)

KIRA'S STORY

1. I felt angry at Trevor 'cos he did not care about my birthday. He didn't buy me anything and he did not dance with me or even say how good I looked on my 18th. That's why I got wasted.
2. He always flirts with other girls. That Casy wants to hook up with him and he doesn't try to put her off.
3. He drinks a lot and then gets aggro. He has gunja to try and relax but if he doesn't get gunja he gets wild.
4. He always asks me for money for grog and gunja 'cos he lost his job but I say no.
5. At the party he got smashed quickly. He had lots of shots with Casy—not me.
6. I got angry and went off at him. He ignored me so I touched his shoulder so he would look at me. He was so trashed he fell over.
7. I can't remember anything else. I woke up later in hospital.
8. The police came to hospital and said I should stop going out with Trevor.
9. But they can't tell me what to do—he's my man and I want to stay with him.
10. He only gets aggro from drink or wanting gunja.
11. I know he feels messed up in his head since his uncle passed. But he won't talk to me about his feelings. He needs to get some help.

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DVO story role play group handout—judge's only

(Give this to the judges group.)

JUDGE'S INFORMATION

When the court starts, please check:

1. Are all the people at court—police, Trevor and Kira?
2. Do all of them have a lawyer?
3. Have they agreed about what should happen?
4. If they have what is it?
5. Is there any other information the court should hear?
6. Ask each group one at a time to give their information and say what they want.
7. Make sure they take turns and don't interrupt and show respect in court.
8. If they don't tell you, ask each one what they want to happen?

- keep the DVOs OR
- stop the DVOs OR
- change the DVOs—if so, what rules should they have?

9. Then you as the judge decide what happens according to the facts and the law.
10. The law says that the person who wants a DVO has to prove:

- The 2 people have a domestic relationship (wife/husband, boyfriend/girlfriend, family member, housemate, ex-partner, carer)
- There was violence from one to the other (or both)
- It is likely that there will be more violence/abuse in future if there is no DVO.

Notes page

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Mandatory reporting handout

YOU MUST REPORT DOMESTIC VIOLENCE (DV) IF...

- **there is a domestic or family relationship**

  Relatives or people living in the same place: step-parents, housemates, girlfriends, boyfriends, babysitters, carers, ex-partners

  AND

- **there is some type of domestic violence**

  physical, emotional, causing fear, stalking, financial, or harm to property/pets

  AND

- **you believe for good reasons that:**

  someone was badly hurt

  AND/ OR

  someone is likely to get badly hurt or killed.

YOU DON'T HAVE TO REPORT DV IF...

- **you think someone else already reported it**

  OR

- **you or someone else will be hurt if you report it**

  OR

- **you are making someone safe before you report.**

Notes page

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4.5 More resources

There are many resources available about the laws on domestic and family violence.

For delivering education and information about domestic violence it is useful to bring:

- NTLAC helpline cards
- brochures from the following agencies: DVLS, NAAJA, NTLAC, TEWLS, DAIWS, Ruby Gaea, Dawn House
- NT Government booklets—information for protected parties/information for defendants
- NTLAC Fact Sheet on domestic and family violence

Samples of these have been included in the toolkit in the sleeve at the end of this section.

For plain language legal information and links to other resources see:

www.lawinfont.org.au

For detailed information see the NT Law Handbook:

www.ntlawhandbook.org

Notes page

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4.6 Where to get help

Urgent assistance

1800 RESPECT	1800 737 732
Sexual assault or domestic and family violence phone and online counselling	
Crisis Line NT Wide (free call)	1800 019 116
Domestic Violence Prevention Unit	(08) 8948 0110
Domestic Violence Counselling Service	(08) 8945 6200

Legal advice and advocacy

NT Legal Aid Commission (free call)	1800 019 343
Domestic Violence Legal Service	(08) 8999 7977
NAAJA (free call)	1800 898 251
North Australian Aboriginal Family Legal Service	(08) 8923 8200
Top End Women's Legal Service (free call)	1800 234 441

Other counselling and rehabilitation

Anglicare NT, Resolve (Darwin)	(08) 8946 4800
Relationships Australia NT (Darwin)	(08) 8923 4999
Catholic Care NT (Darwin)	(08) 8944 2000
Amity Community Service (free call)	1800 684 372
Drug, alcohol and anger management counselling	
Salvation Army, Top End Drug & Alcohol Service	13 72 58
Banyan House	(08) 8947 0832

Interpreter Service

Aboriginal Interpreter Service (AIS)	(08) 8999 8583

Chapter 5

CHILD PROTECTION

Chapter 5

Child Protection

5.1 Introduction

5.2 Key legal messages

5.3 Learning activities

5.4 Handout materials

5.5 More resources

5.6 Where to get help

5.1 Introduction to this topic

Child protection is a complicated area of law. This chapter tries to build basic knowledge about the process and rights so that people who have contact with the child protection system understand NT laws about the care and protection of children ("child protection").

Child protection laws say that the NT Government should:

- make sure all children are safe
- support families to protect their children.

The law says the family has the primary responsibility to care for and bring up children. The family should be able to bring up their children in their own language or tradition and raise their child with their own cultural, ethnic or religious values.

The learning activities here use a strengths-based approach. This builds on the experiences and knowledge of participants to promote positive parenting and to take constructive roles in protecting children rather than being labelled as bad parents.

Learning activities include stories, role-plays and discussions that explore:

- who is responsible for the care and protection of children
- who can help support people to care for and protect children
- the different types of harm to children that the law defines
- where to get help with questions about parenting and child protection
- key steps in the child protection process
- the rights of parents and children in the process.

HELPFUL TIPS

Background reading:

It is useful to do some background reading or talking to people about Aboriginal history in Darwin and the NT. Particularly, it is helpful to learn about past child removal policies and the impacts this has had on people and communities today.

The NT Library has a range of resources in different formats and the community organisations listed in section 5.6 can assist too.

5.2 Key legal messages

- In the NT everyone has a responsibility to make sure that children are safe and protected from harm. The law says that any adult in the NT must report to Territory Families (DCF) or the police if they believe a child has suffered or is suffering from harmful treatment. This is called mandatory reporting. (See the handout in section 5.4 for clear information on mandatory reporting laws.)
- Harm includes physical abuse, emotional abuse, sexual abuse and neglect. Harm can be caused by a parent or guardian's actions or failure to act to protect a child.
- Territory Families (DCF) is the name of the government department in the NT that has responsibility for making sure that children are safe and for investigating reports that a child has suffered from harm. Some people call this 'welfare'. The name changes from time to time but the job of child protection stays the same.
- When DCF or the court makes a decision about a child their most important concern has to be the best interests of the child. This means that what is best for the child will come before everything else, including what is best for the parents.
- In general, the law says that children have rights and parents have duties. Parents do have rights to have a say during any legal process to decide what happens to children.
- The law says that, where possible, children should be cared for by their immediate family. If this is not possible then, whenever possible, children should be cared for by their extended family or people from their community or culture.
- Children have a whole range of needs—not just their immediate physical needs for food, protection and shelter. They also need to be loved and nurtured, educated, have good health and growth and exercise for their bodies and minds.

5.3 Learning Activities

HELPFUL TIPS:

Planning

- Check Chapter 1 on how to use this kit to plan and prepare education activities.
- It is important to plan education sessions to fit the audience. The learning activities are a guide and source of ideas only.
- Before you go, find out from contacts about the people you will be talking with. What is their experience with money problems, their needs, their background knowledge, and their language and literacy skills?
- Explain to people that the information you provide is not a substitute for legal advice.
- Legal information changes over time, so check for up-to-date information by contacting key services like NTLAC and NAAJA and others in the community legal education network.

Delivery

- If you can, invite a lawyer who works in civil law to assist you. They can answer questions and increase a community's access to their advice.
- Explain to people why you are talking about child protection. Explain how important the topic is and that it is okay to discuss child protection issues.
- Consider dividing into groups of men and women separately for some of the time. Ideally, use a female educator with women and male educator with men to support open, safe discussion.
- It is always good to start off by saying that it is a general discussion and not to raise individual experiences. If someone wants to talk about a personal matter they should make time at the break or after to chat privately. If someone gets upset and needs to leave, the second educator can support them.

Activity: What children need for a good life

Running time: 15 minutes

What you need:

Large paper or whiteboard and markers to write down ideas

Aim of the activity:

This is a positive, strengths-based way to start a conversation on child protection and to warm up the group by sharing ideas about what children need to grow and live well.

Key Messages:

- Children have essential needs for love and nurture as well as physical needs.
- Under NT child protection law, the best interests of the child come first. The needs of a parent or other carers are considered less important than the needs of the child.

Instructions:

1. Ask the group to stand in a circle.
2. Ask each person in turn to mime one thing that children need to have a good life. Then everyone copies their mime together (e.g. shelter, sleep, sport, boundaries, learning, love, house, food).

   Ask people to try to avoid using words as much as possible

   Ask each person for a new idea—not just to repeat ones that have been done
3. The educator goes first, showing an example of something children need.
4. Keep going until you have as many different ideas as possible.
5. After going around the circle, you may want to write down the list of things on the board/paper for people to refer to.
6. In the group or smaller groups of 4-6 participants discuss the examples that were given as parts of the idea of **best interests of the child.** Discuss:
   - What are the main things children need to live a good life?
   - How do we make sure children get what they need for a good life?
   - Who is responsible for making sure they get what they need?
   - What type of things stop children from getting what they need?
   - If someone can't care for their child, what supports can help? (eg. family, friends, community members, welfare organisations and other groups.)

End of activity

Activity: Who is responsible for making sure children get what they need?

Running time: 15 minutes

What you need:

Large Coloured Markers, large paper with diagram of circles

Aim of the activity:

To clarify the roles of different people and agencies to ensure children live well.

Key Messages:

- Family and community people are the most important carers for children.
- Other agencies like schools and health centres should help families.
- Government (child protection or welfare) should only be involved when someone else is not able to do their job properly. .

Instructions:

1. Ask someone to draw the child in the middle of the circle
2. If you have done the previous activity, review ideas about what children need to live and grow well. If you have not done the activity, have a list of things including physical, emotional and other needs.
3. Ask the group who is most responsible for making sure children have what they need. For example, parents or family. Then write/draw these in the middle circle closest to the child.
4. Ask the group what if the parents need help or can't take care of the children. Who else can help them? Write the answers in the next layer of circles.
5. Keep going out and try to include all the people, groups or organisations who are part of a child's, family's and community's life.
6. This may be different in different settings. The usual pattern is parents in the inner circle, then extending to broader family/community/service networks in the other circles. Government and laws should be the outermost circle.
7. Explain that while parents and carers have the most important duties to children, there is a network of different people and groups that can help. For example, elders and schools.
8. The government/the law have 2 jobs:
    - To check others are doing their job properly. eg. making laws for teachers
    - To step in and help if they are not - as a 'safety net' when others cannot
9. Work through an example of how this circle model works when something happens for example when a child gets sick: parents first, then extended family, a health center, or the hospital.

End of activity

Activity: Looking after children story

Running time: 30 minutes

What you need:

- The story
- handouts for groups

Aim of the activity:

To explore what harm is, the types of harm, and situations that may cause harm.

Preparation

Try to talk to the group before the activity to find out what people understand about harm to children, what is confusing and where there are different expectations. Focus on these.

For example, physical punishment of children (such as smacking) is an area where people often don't understand the law. Another example is that some people think a young child can watch over younger children. Under NT law, this may not be ok for a long period of time.

It is not necessary to explore all the types of harm in detail. Sexual abuse is unacceptable to people in all countries. It is good to check with people who know the group well before discussing taboo subjects. It is important to name sexual abuse as one type of harm and give participants information.

Key messages:

- The law looks at what harm happens or might happen to children, not the specific action of the parents or others.
- There are different kinds of harm to children—physical, emotional, sexual and neglect.
- Call for help when children need protection or if there are legal problems with welfare.

Instructions:

1. Begin by telling the story to the group or give out the story and ask the group to read it quietly or aloud.
2. Break people into small groups and ask them to identify all the possible harm that could happen to children in the story. Each group gets more of the story with a different type of harm (see handouts in section 6.4)

Each group should discuss:

a. why the situation can cause harm to the child

b. what could happen next. For example, serious injury to child, child protection workers get involved, police involvement

c. what the parents could do to avoid this situation

d. where people can get help and advice about these situations

e. when the Department of Children and Families could get involved, and what parents can do then.

3. After 10-20 minutes of small group discussion, ask each group to choose one person to report back to the larger group

a. what happened in their part of the story

b. how they answered the questions.

End of activity

5.4 Handout materials

HELPFUL TIPS:

Copy, print, cut and laminate each part of the story to hand out to groups.

Looking after children story

1. Johnny and his wife Rose come to stay with Rose's Auntie Annie in a Darwin Aboriginal community.
2. They have three children Johnny Junior (15), Caitlyn (8) and Emily (2).
3. They left their home in a remote community to get services that are not available out bush.
4. They want to make a fresh start. At first, they rely on family for support.
5. The family speak English but not as their first language.
6. Junior and Caitlyn are going to local schools.
7. They want their own house so they don't have to be crowded in with family.
8. Johnny was a ranger in his community, but, can't get a job in Darwin.
9. Rose has never worked before but got a job at the women's centre.
10. Rose now has spending money, so she goes to the local club with some friends to play the pokies. She starts spending more time away from home.
11. Johnny complains that Rose should be at home with the kids and helping out.
12. Rose asks the older kids to help around the house.
13. She tells Johnny he should do more because he's not working.
14. Johnny feels jealous that Rose is working and making new friends.
15. Rose comes home one day and the house is a mess. Emily has a dirty nappy and is on the floor screaming. Caitlyn was trying to get some food and dropped a plate that smashed on the floor. Junior is out with friends.
16. Half an hour later, Johnny comes home drunk. Rose goes wild at him about spending money on grog when he has no job. He should stay home with the kids and make them dinner.
17. He says he thought Auntie Annie was looking after the kids.

Looking after children story—group 1 (neglect)

1. Go over the first part of the story again and look for all the kinds of harm to kids that could happen to the kids.
2. Now read the next part of the story:

- One afternoon Caitlyn is home alone with Emily who is crying and hungry.
- Caitlyn decides to cook noodles.
- She is busy in the kitchen and doesn't notice that Emily has opened a bottle of pills she found in the bathroom. Emily eats all the pills.
- When Rose gets home from work Emily is shaking and having trouble breathing.
- Rose calls an ambulance and they ask her what happened.
- Rose lies because she doesn't want to get into trouble.

3. Now talk in your group talk about this story and ask:

3.1 Why the situation can cause harm to the child?

3.2 What could happen next?

3.3 What could the parents do to avoid this situation?

3.4 Where can people get help and advice about these situations?

3.5 When could child protection get involved, and what can parents do then?

4. Choose someone to report back to the big group what you said.

Looking after children story—group 2 (physical abuse)

1. Go over the first part of the story again and look for all the kinds of harm to kids that could happen
2. Now read the next part of the story:

- Johnny is wild at his son when he finds out Junior left Caitlyn alone with Emily.
- Junior says "You can't tell me what to do! It's not my job to look after my sisters."
- Johnny grabs Junior by his shirt and pushes him hard against a wall and says not to talk back. He then shoves him out of the way.
- Junior stumbles over and falls onto a louvre window that smashes.
- He cuts his arm and gets a black eye.
- At school the next day Junior's teacher asks him what happened.
- Junior says his dad shoved him

3. Now talk in your group talk about this story and:

3.1 Why the situation can cause harm to the child?

3.2 What could happen next?

3.3 What could the parents do to avoid this situation?

3.4 Where can people get help and advice about these situations?

3.5 When could child protection get involved, and what can parents do then?

4. Choose someone to report back to the big group what you said

Looking after Children Story—group 3 (emotional abuse)

1. Go over the first part of the story again and look for all the kinds of harm to kids that could happen.
2. Now read the next part of the story:

- Rose and Johnny are fighting a lot.
- They both swear at each other in front of the kids and are impatient.
- The kids feel like nothing they ever do is right.
- Junior stays out with friends to avoid all the fighting.
- Caitlyn tries to help but her parents don't notice this—only her mistakes.
- One day Caitlyn breaks a glass and burns some food.
- Rose calls Caitlyn "useless" and "stupid".
- Caitlyn starts getting withdrawn and jumpy. She hides from her parents and has started wetting the bed.
- Rose calls her dirty and makes her clean her own sheets.

3. Now in your group talk about this story and:

3.1 Why the situation can cause harm to the child?

3.2 What could happen next?

3.3 What could the parents do to avoid this situation?

3.4 Where can people get help and advice about these situations?

3.5 When could child protection get involved, and what can parents do then?

4. Choose someone to report back to the big group what you said

Looking after children story—group 4 (sexual abuse)

1. Go over the first part of the story again and look for all the kinds of harm to kids that could happen.
2. Now read the next part of the story:

- Auntie Annie gets a new boyfriend, Raymond, who starts coming over a lot.
- One afternoon, Annie asks Raymond to stay with Caitlyn and Emily while she goes to the shops.
- Rose, Johnny and Junior are all out.
- After this Caitlyn becomes even more quiet and wets her bed every night.
- She tells her mum Rose she doesn't like Raymond—he's a bad man.
- Rose tells her to stop being silly. Raymond is a good man with a job and helps the family get food.
- At school, Caitlyn starts drawing pictures of male body parts and sexual things.
- The teacher asks her where she saw that and Caitlyn says this is what Raymond does at home.

3. Now in your group talk about this story and:

3.1 Why the situation can cause harm to the child?

3.2 What could happen next?

3.3 What could the parents do to avoid this situation?

3.4 Where can people get help and advice about these situations?

3.5 When could child protection get involved, and what can parents do then?

4. Choose someone to report back to the big group what you said

Mandatory reporting handout

YOU MUST REPORT HARM TO CHILDREN IF...

- ☑ **You believe for good reasons**
- ☑ **A child suffers significant harm (physical, mental, health, or growth)**
- ☑ **Because of abuse or neglect**

AND/ OR

- ☑ **A child 13 or younger is involved in sexual activity (agreed or forced)**

AND/ OR

- ☑ **A child aged 16 or 17 years is involved in sexual activity with an adult who is a special carer (e.g. a parent, step-parent, teacher, doctor, employer, coach)**

IF YOU DO NOT REPORT YOU MAY BREAK THE LAW.

5.5 More resources

There are many education resources available about child protection laws.

For delivering education and information about child protection it is good to bring along:

NTLAC Helpline cards

The NTLAC Poster and pamphlets on Getting help with your Child Protection (Welfare) Case:

http://bit.ly/2gD8nlO

NTLAC's factsheet "Child Protection Matters" (Top End):

http://bit.ly/2gD5Ulh

The Child Protection Law Book prepared by NAAJA is available by contacting cle@naaja.org.au

The CAALAS posters "What you need to know about child protection":

http://bit.ly/2fHQDlf

Service provider brochures:

- Darwin Community Legal Service
- Top End Women's Legal Service
- Working Women's Centre
- Domestic Violence Legal Service
- 1800 RESPECT card.

Samples of these have been included in the toolkit in the sleeve at the end of this section

For plain language legal information see:

www.lawinfont.org.au

Detailed information about child protection laws can be found in the NT Law Handbook:

www.ntlawhandbook.org

NT Legal Aid also has some information about the laws concerning children in its online Family Law Guide:

http://bit.ly/2ftPCj1

NT Children's Commissioner:

http://bit.ly/2go4qOR

Department of Children and Families—general information:

http://bit.ly/2gjqmNy

Tune into Little Ones (DCF), is a resource to help workers understand, notice and respond to the needs, strengths and vulnerabilities of infants under 2 years old (little ones) and their families:

http://bit.ly/2fHMo9i

Kids in Care booklets—NSW Legal Aid:

http://bit.ly/2fTLd9Q

Aboriginal and Torres Strait Islander kids in care:

http://bit.ly/2go9djy

The Indigenous Legal Needs Project has a detailed list of research and reports about Aboriginal and Torres Strait Islander people and child protection:

http://bit.ly/2fHLTMi

Videos:

Produced by CAALAS, this NIGHT PATROL training series was filmed in Tennant Creek and provides useful information for staff and community members. This chapter looks at "Child Protection is a Priority" (VTS 08 1):

http://bit.ly/2g6qAVn

If FaCS Come to Your Door (talking factsheet—a short video with subtitles produced by Aboriginal young people across NSW):

http://bit.ly/2g6qAVn

I Just Want my Babies Back (talking factsheet— a short video with subtitles produced by Aboriginal young people across NSW):

http://bit.ly/2ndmoak

Trauma Informed Services and Trauma specific care for Indigenous Australian Children:

http://bit.ly/1gcbip5

Notes page

(These notes pages are left blank so you can write notes about the activity or other ideas for education sessions. It also helps to keep each activity on its own page so that more ideas can be added to the toolkit over time)

5.6 Where to get help

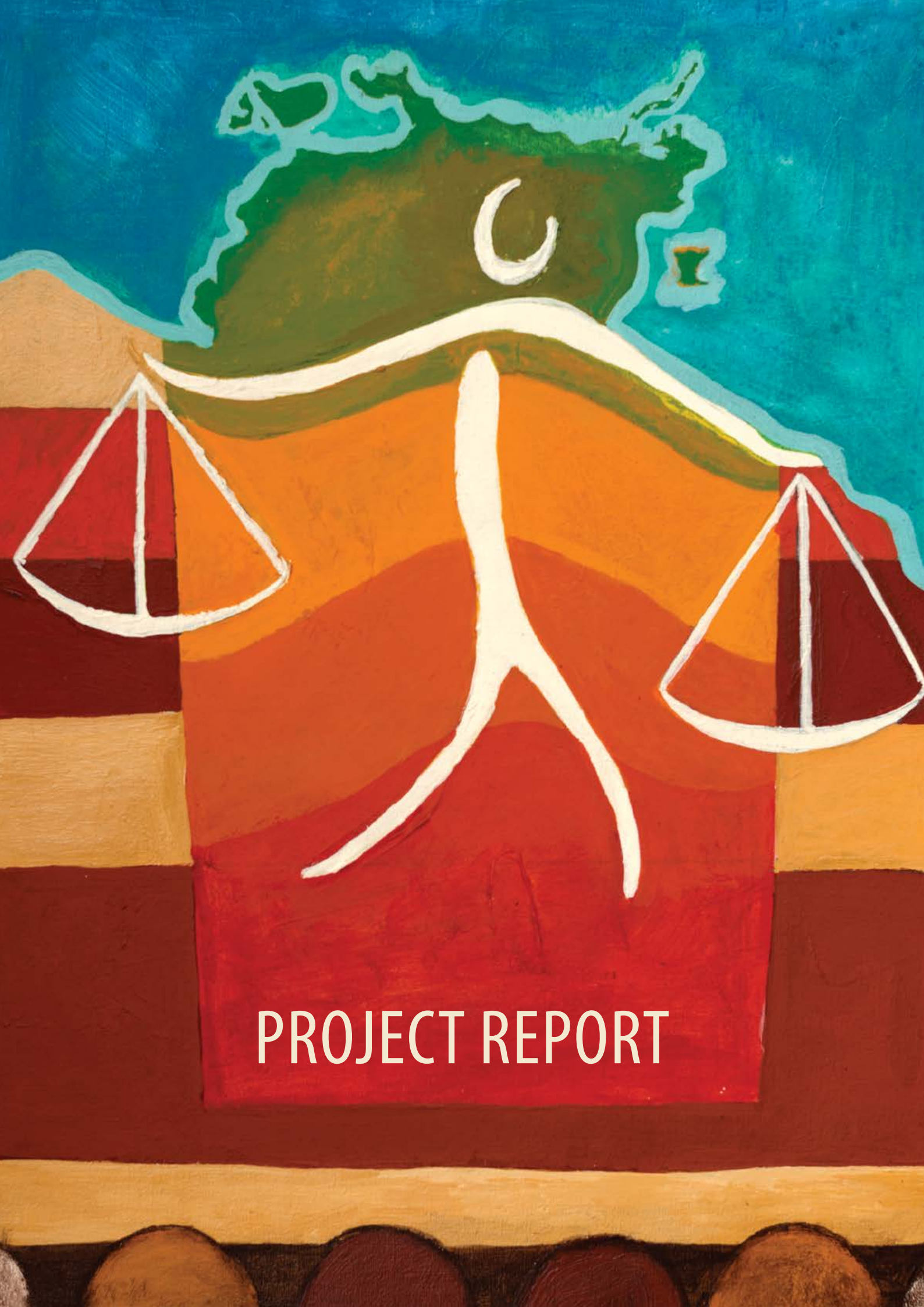
NT Department of Children and Families	1800 700 250

Legal advice and advocacy

NT Legal Aid Commission (free call)	1800 019 343
North Australian Aboriginal Justice Agency (free call)	1800 898 251
North Australian Aboriginal Family Legal Service (free call)	1800 041 998
Top End Women's Legal Service	(08) 8982 3000 or free call 1800 234 441
NT Children's Commissioner (free call)	1800 259 256

Other counselling and support

Kids Helpline	1800 551 800
Parentline, confidential counselling	1300 301 300
Anglicare NT, Resolve (Darwin)	(08) 8946 4800
Relationships Australia NT (Darwin)	(08) 8923 4999



PROJECT REPORT

Chapter 6

Project Report

1. Project background and overview
2. Acknowledgements
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7. Consultation with service providers and other stakeholders
8. Testing the toolkit
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6.1 Project background and overview

The Darwin Aboriginal Communities Legal Education Project (the Project) was created to better understand and respond to the legal education needs of Aboriginal people living in Darwin Aboriginal communities.

The Project aimed to develop a culturally appropriate, community driven legal education resource for Aboriginal people living in Darwin Aboriginal communities to increase understanding of the Northern Territory (NT) legal system.

The Project was adapted from a similar project undertaken by the Northern Territory Legal Aid Commission (NTLAC) to develop a resource kit with culturally appropriate and targeted legal education materials for members of newly arrived migrant communities.

The culturally and linguistically diverse (CALD) Project developed a legal education toolkit comprising three modules of information about Australian laws and the legal system. The NTLAC developed important relationships by working closely with refugee support services and CALD communities to develop the toolkit.

NTLAC and other services continue to use the toolkit to deliver targeted community legal education (CLE) with CALD communities and service providers. The current Project aimed to achieve similar outcomes of strengthened relationships with Darwin Aboriginal communities.

NTLAC developed the Project proposal in partnership with the North Australian Aboriginal Justice Agency (NAAJA) and Larrakia Nation Aboriginal Corporation (LNAC) in early 2015.

An application to fund the project was made to the Law Society Public Purposes Trust. The objectives of the trust are to:

- advance education of the community, and any section of it, with respect to the law
- advance the collection, assessment and dissemination to the community, and any section of it, information relating to the law
- improve the access of the community, and any section of it, to legal services.

The Project clearly fit these objectives by aiming to increase Aboriginal people's understanding of their legal rights and enhance access to justice. Other project goals included:

- to enable legal services to improve how they identify, understand and address the legal needs and challenges to providing legal assistance for Aboriginal people in Darwin Aboriginal communities
- to increase the capability of Aboriginal people in Darwin Aboriginal communities to identify, understand and seek assistance to resolve legal issues and advocate for improved justice outcomes
- to identify opportunities for future collaboration with Darwin Aboriginal communities and key service providers and community groups.

6.2 Acknowledgments

The Larrakia People are the traditional owners of the land on which this Project has been carried out. The Project acknowledges and pays respect to Larrakia People past and present and is grateful for the opportunity to work in this beautiful country.

This Project relied on the expertise of key individuals and service providers, many of whom volunteered their time to assist and guide us. We thank everyone who has participated in the leadership meetings, community and stakeholder consultations, and education trials that have helped us shape the project.

We thank in particular:

- community members from Bagot Community, Knuckeys Lagoon, Palmerston Indigenous Village, One Mile Dam and Belyuen Community
- staff from our partnering organisations: Larrakia Nation Aboriginal Corporation (LNAC) and North Australian Aboriginal Justice Agency (NAAJA)
- staff from NT Legal Aid Commission, and in particular the Aboriginal Project Officer for this Project, Matthew Bonson; Indigenous Liaison Officer, Rebecca Wanganeen; Community Legal Education Coordinator, John Jablonka; and Project Coordinator, Seranie Gamble.

Participants in the project's Aboriginal Leadership Advisory Group (ALAG):

- Helen Fejo-Frith
- Sheila White
- Rosie Hewitt
- Ashley Stott
- Cheryl Ah Kit
- Natalie Harwood
- Margaret O'Brien
- Maurie Japarta Ryan
- Rosie Baird
- Georgia O'pDenBrouw
- Cathy Wright
- Eileen Cummings
- Moogie Patu
- Josie Crawshaw
- Regina Bennett
- Ronnie Agnew
- Steven Torres-Carne
- Bruce Lee King
- James Gaykamangu
- Michael Petterson
- Jason Hampton
- The late Mr. Timber
- Phillip Goodman
- Des Campbell
- Charlie King
- Daniel Fejo
- Tony Lee
- James Parfitt
- Mark Munnich

6.3 Methodology

The Project was guided by the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Guidelines for Ethical Research in Australian Indigenous Studies (2012), and followed a human rights based approach in accordance with the Declaration on the Rights of Indigenous Peoples. This recognises the right of Indigenous people to self-determination, participation, cultural diversity and ongoing consultation.

Key features of the methodology included:

- analysis of existing research and CLE tools, including the Indigenous Legal Needs Project (ILNP) and findings from LNACs research on what Aboriginal people in Darwin think about the legal system
- establishing an Aboriginal Leadership Advisory Group (ALAG) to provide advice on legal needs and issues of Aboriginal people living in Darwin Aboriginal communities, and during the consultation, development and implementation processes of the Project
- flexible methodology to ensure toolkit content is determined by Project participants
- consistent and experienced staff to build relationships with Project participants
- project evaluation to identify and pass on lessons learnt to other relevant projects.

6.4 Research

Significant research has been conducted into the legal needs and perspectives of Aboriginal people in the NT and Darwin through the LNAC and ILNP. Most recently, LNAC secured a grant with the Australian Research Council to undertake a three-year research project, *Telling it Like It Is: Aboriginal perspectives on Aboriginals, Non-Aboriginals and Race Relations*.

NTLAC and LNAC will continue to work together to link this Project to the findings and recommendations of their research to increase understanding of the NT legal system for Aboriginal people living in Darwin Aboriginal communities.

The ILNP aimed to identify and analyse the legal needs of Aboriginal and Torres Strait Islander people in non-criminal areas of law and how legal service delivery might work more effectively to address civil and family law needs in the NT. The research identified the following areas of legal need:

- housing and tenancy
- neighbourhood disputes
- wills and estates
- victims of crime compensation
- employment
- social security
- family matters and child protection
- discrimination
- accident and injury
- education
- credit and debt, and
- consumer issues

The ILNP research identified that some Aboriginal people in the NT have limited understanding of civil law and recommended that CLE initiatives prioritise this area of legal need. This recommendation motivated the Project to include civil legal issues in this toolkit.

To avoid duplication, NTLAC conducted a desktop audit of existing legal education resources in the NT, and resources targeting the legal needs of Aboriginal people in Australia. The resources identified through that research are referred to in relevant sections of the toolkit.

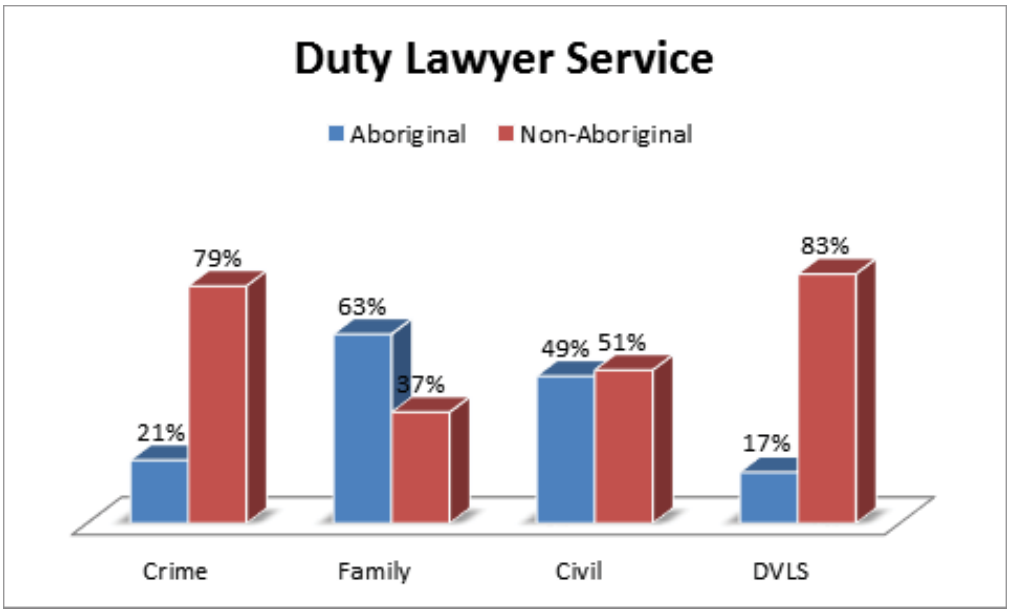
NTLAC analysed the type of legal assistance provided by NTLAC to Aboriginal people in Darwin and Palmerston from 1 July to 31 December 2015. Overall, a total of 892 out of 4099 (22%) of all legal assistance services (crime, family,

civil and domestic violence legal services) areas delivered in that location were provided to Aboriginal people.

This data is limited to a brief period but could indicate that more legal assistance needs to be targeted towards Aboriginal people in this region to better reflect population trends and levels of legal need.

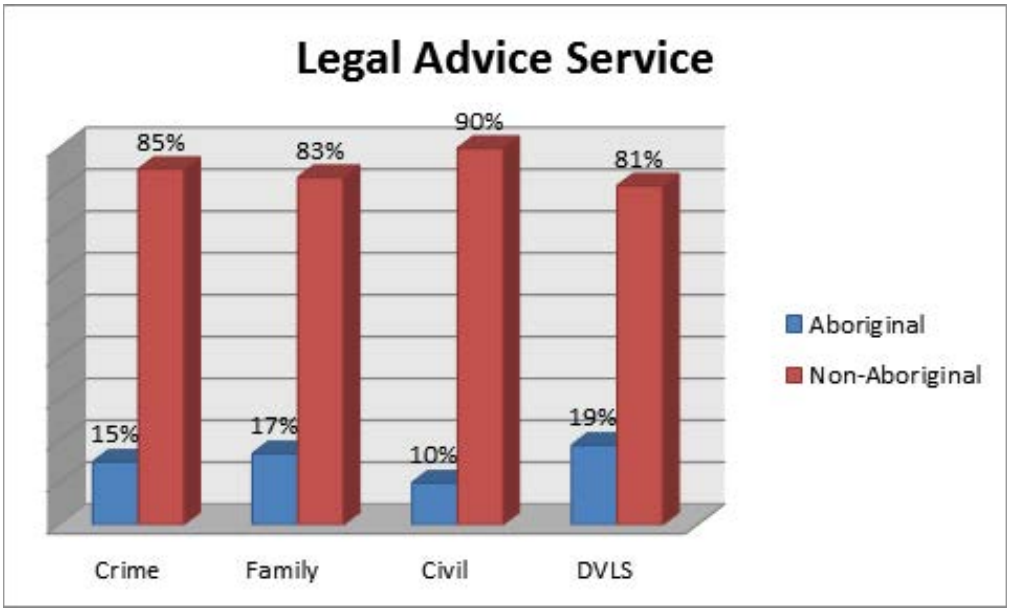
Duty lawyer services

Duty lawyer services are available at criminal, family, domestic violence and civil courts (including the mental health review tribunal) to help unrepresented people with advice and appearance at court. A total of 1114 duty law assistances were recorded across these areas in Darwin and Palmerston, and 266 (24%) of these assistances were to Aboriginal people, as shown in the following graph across the different legal practice areas.



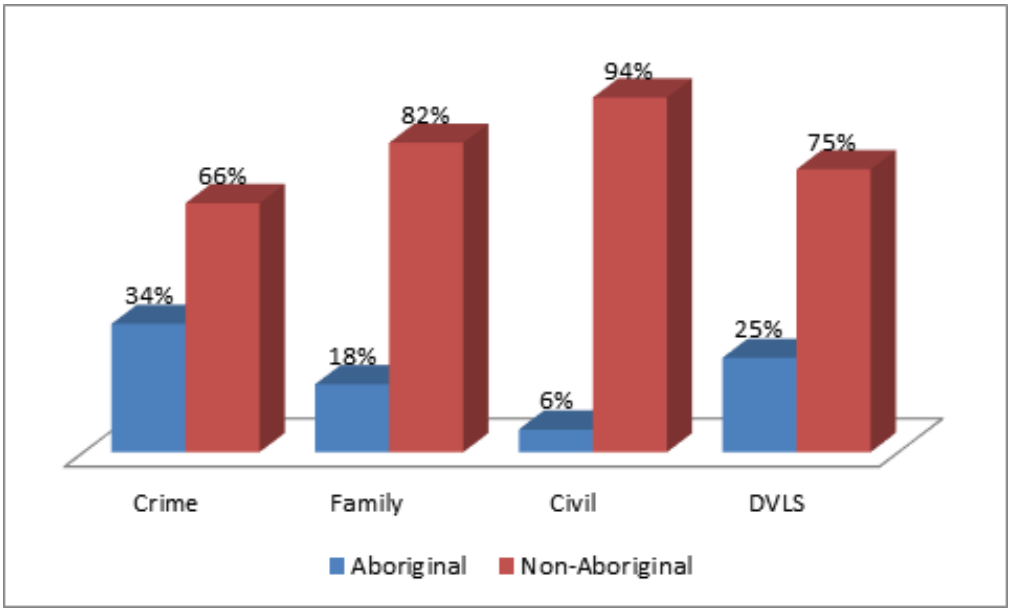
Legal advice

A total of 1752 legal advice sessions were recorded across the areas of crime, family, civil and domestic violence in Darwin and Palmerston. 296 or 17% of these were recorded as being for Aboriginal people, as shown in the following graph.



Grants of aid

A total of 330 or 27% of the total 1233 grants of legal aid were made to Aboriginal people across crime, family, civil and domestic violence matters, as shown in the graph below.



6.5 Aboriginal Leadership Advisory Group

An Aboriginal Project Officer was recruited to the Project who was responsible for establishing and coordinating an ALAG. The ALAG provided strategic advice about the development of the toolkit and how to build relationships between Darwin Aboriginal communities and legal services.

The Project Officer drew on personal and professional networks and existing NTLAC relationships, engaging key Aboriginal people and services with historical and family connections to Darwin Aboriginal communities. LNAC and NAAJA staff and board members also participated in the ALAG.

An introductory meeting was held at Yilli Rreung Aboriginal Corporation on 15 September, 2015. At that meeting, members agreed to develop terms of reference, and to meet fortnightly at NTLACs Darwin office. This location for fortnightly meetings was chosen to build relationships between NTLAC staff and ALAG participants.

Each fortnightly meeting focused on a specific area of legal need and the barriers to accessing legal assistance in relation to it. Relevant service providers participated in meetings, including NTLAC, NAAJA, Top End Women's Legal Service (TEWLS), Darwin Community Legal Service (DCLS), the Children's Commissioner and Relationships Australia.

ALAG members acted in an individual capacity based on their community and cultural experience and knowledge, rather than representing an organisation or region. ALAG members were provided with transport to meetings. Culturally inclusive catering such as local magpie goose was cooked and prepared by staff and their families involved in the Project.

The ALAG aimed for equal numbers of Aboriginal men and women. Meetings were split into separate men's and women's groups when it was appropriate.

NTLAC recognised that ALAG members were already heavily committed in their professional and personal commitments, holding significant community responsibilities. NTLAC recognised that ALAG members would participate according to their cultural and community responsibilities, work and other commitments. Project staff consulted with ALAG members in a location or mode of their choosing when they were unable to attend meetings.

ALAG members were offered supermarket vouchers for their attendance at each meeting to recognise their contributions. ALAG participants were also provided a certificate of participation in appreciation of their involvement. ALAG participants included:

- Helen Fejo-Frith
- Sheila White
- Rosie Hewitt
- Ashley Stott
- Cheryl Ah Kit
- Natalie Harwood

Photo: Men participating in the Leadership Advisory Group 28 October 2015, from left to right: Desmond Campbell, Ron Agnew, John Jablonka, Maurie Ryan, Matthew Bonson, and Bruce Lee-King

- Margaret O'Brien
- Rosie Baird
- Georgia O'pDenBrouw
- Cathy Wright
- Eileen Cummings
- Moogie Patu
- Josie Crawshaw
- Regina Bennett
- Maurie Japarta Ryan
- Ronnie Agnew
- Steven Torres-Carne
- Bruce Lee King
- James Gaykamangu
- Michael Petterson
- Jason Hampton
- The late Mr. Timber
- Phillip Goodman
- Des Campbell
- Charlie King
- Daniel Fejo
- Tony Lee
- James Parfitt
- Mark Munnich

The overwhelming message from ALAG members was that Aboriginal people from Darwin Aboriginal communities want and need increased and improved access to legal assistance services generally, including legal education.

The critical part of that message was that Aboriginal people from Darwin Aboriginal communities had to be engaged in culturally appropriate ways to ensure service delivery is effective and sustainable.

ALAG members expressed that they were tired of services visiting Darwin Aboriginal Communities with little coordination, consistency, consultation and commitment to working with Aboriginal people in ways that are guided and determined by Darwin Aboriginal people and communities.

ALAG members spoke of services and staff who had limited experience working with Aboriginal people, who had visited Darwin Aboriginal communities and made commitments that they could not keep. Some services visited without ever returning, leaving people feeling forgotten.

Photo: Women participating in the Leadership Advisory Group 28 October 2015, from bottom left to right: Eileen Cummings, Rebecca Wanganeen and Libby Scholz. Top Right to left: Seranie Gamble, Margaret O'Brien, Moogie Patu, Regina Bennett, and Cheryl Ah Kit.

ALAG members acknowledged that inadequate government funding is a key challenge for services working with Darwin Aboriginal communities. They identified the need for stronger advocacy to promote holistic outcomes for Aboriginal people. NTLAC and other services could benefit from continuing to seek guidance from ALAG members to identify future opportunities for collaboration and advocacy.

ALAG members made a specific recommendation that NTLAC and other non-Aboriginal organisations are to increase Aboriginal employment.

ALAG members said that Aboriginal people living in Darwin Aboriginal communities would feel more comfortable receiving information from Aboriginal staff members and/or services that value the guidance of their Aboriginal staff regarding community engagement and service delivery.

The central role of Aboriginal staff and creation of more opportunities for Aboriginal people's engagement in legal services became a key focus of discussion. Participants spent more time on this than the content and location of potential education sessions.

As laws are constantly changing, CLE and community engagement must be ongoing and embedded in community networks.

The ALAG suggested some principles for services working with Aboriginal communities:

- Involve community members in both planning and implementation of the service. Identify community leaders and seek their guidance.
- Build trust and respectful relationships with community members. This takes time as trust and respect for outside services may be affected by previous inadequate service delivery and broken promises.
- Identify pressing needs and work with community members to identify and understand their needs.
- Start with small and achievable objectives, rather than trying to take on too much too early. Early successes can have a "ripple" effect, inspiring community confidence and motivating service staff.
- Use existing networks, services, and resources. Some projects and services have very successfully "piggybacked" services on existing activities and community networks.

- Deliver outcomes rather than just talking. Community members will remember and reflect on previous experience. Consultation fatigue and lack of real outcomes has led to mistrust and cynicism of external services among some Aboriginal people and communities.
- Adapt to communities and their culture. Services funded to deliver Aboriginal specific services and programs have a responsibility to adapt their work to the Aboriginal community with whom they are working.
- Recruit and retain the right staff. Competent and capable staff are critical to effective service delivery, especially for services specifically designed for Aboriginal people. Effective delivery of services for Aboriginal people is largely dependent on staff and their organisations demonstrating relevant cultural competence and building a relationship with the community. Qualities necessary to work with Aboriginal people can include self-awareness, flexibility, compassion, empathy, respect, trust, understanding and historical awareness.

6.6 Community consultations

NTLAC conducted consultations about legal service delivery and education needs at the following Darwin Aboriginal communities:

- Bagot
- Belyuen
- One Mile Dam
- Knuckeys Lagoon
- Palmerston Indigenous Village (PIV)

Photo: student interns from NTLAC setting up for a community meeting, PIV 28 January 2016.

NTLAC contacted Acacia and Amangal Aboriginal communities but did not have the resources to organise consultations at those locations within the Project timeframe. NTLAC did not receive responses from contacts at Kulaluk and Minmarama Communities.

Project staff organised introductory meetings in Darwin Aboriginal communities to discuss the Project and legal services. Staff sought guidance about the best way to speak with Aboriginal people in Darwin Aboriginal communities about legal issues and services.

Larger consultations then took place with Community members, with men and women meeting separately. The larger Community meetings took place at Bagot and PIV and included lunch and refreshments provided by NTLAC. A meeting with women occurred at Belyuen and a larger community meeting at Belyuen was postponed on several occasions due to Sorry Business and time constraints with the Project.

The legal issues of concern to Aboriginal people attending the group consultations in Darwin Aboriginal communities included:

- consumer issues (phone debts, door to door sales, scams)
- understanding assaults
- understanding bail
- mandatory reporting
- animal safety (dog control)
- family issues (resolving conflict to reduce escalation at community level)
- motor vehicle accidents and compensation
- child protection (the lack of understanding of this)
- housing issues (repairs, maintenance, debts and evictions)
- fines processes (knowing that fines exist and setting up payment plans)
- police complaints

Darwin Aboriginal communities members made the following suggestions to improve legal services delivery:

Photo: Women meeting with Project staff at Bagot Community 14 January 2016

- fortnightly visits from lawyers to build relationships
- make it clear which services visit and when
- reduce the number of staff members attending the community
- explain why different staff attend the community
- employ Aboriginal staff and ensure all staff members are trained to work effectively across cultures
- provide legal information and education to:
    - help people better understand what problems are legal problems
    - identify who can help if needed
    - stop existing legal problems getting worse
    - prevent future problems
- ensure services visit consistently
- use films and interactive education that involve local Aboriginal people to increase community connection with the messages.

6.7 Service provider and other stakeholder consultation

Project staff met with services working with Darwin Aboriginal communities to discuss the Project, approaches to legal service delivery, getting legal help, and information about NTLAC. Included services:

- Project partners NAAJA and LNAC
- The Stolen Generation Aboriginal Corporation
- Larrakia Aged Care Service
- Darwin Indigenous Men's Inter-Agency Network
- Dawn House Women's Shelter
- Darwin Aboriginal and Islander Women's Shelter (DAIWS)
- Top End Women's Legal Service
- Darwin Community Legal Service
- North Australian Aboriginal Family Legal Service
- Danila Dilba Health Service
- Anti-Discrimination Commission
- City of Darwin
- CatholicCare NT
- Aboriginal Interpreter Service
- Amity Community Services
- Council for Aboriginal Alcohol Program Services (CAAPS)
- Yilli Rreung Housing Corporation
- Foundation Of Rehabilitation With Aboriginal Alcohol Related Difficulties (FORWAARD)
- St Vincent De Paul Society
- Relationships Australia —Indigenous Advisory Team
- Australian Consumer Competition Commission
- Australian Securities Investment Commission
- Ironbark Aboriginal Corporation
- Saltbush Mob
- Centrelink
- Department of Prime Minister and Cabinet's Top End Regional Network.

Project staff found that many organisations had limited awareness of NTLAC's legal assistance services. Generally, Project staff members were met with positive interest in increasing coordination and provision of legal assistance services, including CLE in Darwin Aboriginal communities.

6.8 Testing the toolkit

NTLAC developed a CLE toolkit based on the research and consultations outlined in this report. Testing of learning activities and resources was arranged in April, 2016 with services working with Darwin Aboriginal communities and Aboriginal people generally, including:

- NTLAC staff
- DAIWS
- FORWAARD
- CAAPS
- The Community Legal Education Network
- Department of Corrections Family Violence Program

Feedback from the testing was incorporated into the toolkit. Drafts of the kit were also provided to partnering organisations LNAC and NAAJA, and other interested stakeholders, to provide feedback on the toolkit content.

6.9 Additional achievements and impacts

In addition to the outcomes above, this Project had some additional unexpected achievements and impacts.

Health justice partnership with Danila Dilba Health Service

NTLAC signed a memorandum of understanding (MOU) with Danila Dilba Health Service to create a health justice partnership for targeted and improved assistance to vulnerable Aboriginal people in Darwin.

Sponsorship of International Women's Day Activities at Belyuen Community

The Partnership is designed to provide culturally appropriate services to Aboriginal clients, improve mutual understanding of legal and health issues and service provision among staff, and improve referral processes between both organisations.

A lawyer and the Indigenous Liaison Officer from NTLAC conducted a two-month pilot outreach project to provide weekly legal information, advice and assistance to Aboriginal people at Danila Dilba's Palmerston and Darwin health clinics. The team also held professional development workshops with staff at Danila Dilba about NTLAC's legal assistance services.

Sponsorship of International Women's Day activities at Belyuen Community

Staff from Knucky Women's Centre at Belyuen Community approached NTLAC to sponsor and be involved with activities for International Women's Day in March 2016. This followed a daylong meeting with staff and women from the community discussing the Project and legal needs generally.

Photo: provided by Knucky Women's Centre, Belyuen

Collaboration with the Department of Correctional Services Family Violence Program

In December 2015, Aboriginal staff from the Department of Correctional Services Family Violence Program who participated in the ALAG invited NTLAC to present about NTLAC services to their program.

This led to a further opportunity to develop a more detailed session about family violence in February, 2016, and the opportunity to test the toolkit and its learning activities during April and May, 2016.

Indigenous Liaison Officer taking the lead in Facilitation

NTLAC have put into practice the advice from this Project to create more opportunities to support and empower Aboriginal staff in service delivery.

NTLAC's Indigenous Community Liaison Officer, Rebecca Wanganeen, has taken the lead in coordinating the testing of the toolkit and increasing her skills and confidence as an educator. Rebecca has the primary responsibility for coordinating ongoing engagement with Darwin Aboriginal communities.

Supporting Aboriginal and Torres Strait Islander Enterprise.

NTLAC are supporting Rebecca to present about the lessons learnt and sample learning activities from the Project at the NT Community Legal Education Network Professional Development Workshop in Darwin in May, 2016 and the National Community Legal Centre Conference in Fremantle in August, 2016.

NTLAC has supported Rebecca's application to participate in the Oxfam Straight Talk Aboriginal and Torres Strait Islander Women's Program in Canberra in June, 2016 to continue building her capacity as a leader.

Supporting Aboriginal and Torres Strait Islander enterprise

NTLAC was pleased to commission a local artist, Kootji Raymond, from Bigapitja Pty Ltd, to design a series of culturally appropriate images for the education kit. He created a series of artworks that can be used for the toolkit and other resources to communicate legal messages.

6.10 Challenges and opportunities

The Project generated an improved understanding of the legal issues experienced by Darwin Aboriginal communities and produced a range of positive outcomes.

As in any project, there have been some lessons learnt to build on for the future.

Community collaboration and relationship building

NTLAC strengthened relationships with Aboriginal people living in in Darwin Aboriginal communities through this Project. The ALAG meetings at NTLAC developed relationships between the ALAG members and key staff from services and government agencies.

A lesson learnt from the Project is that services need to work more with Darwin Aboriginal communities to implement this toolkit and to improve service delivery. The challenge is to maintain momentum from the ALAG to continue developing relationships into the future.

Partnerships

NTLAC partnered with local Aboriginal organisations LNAC and NAAJA. Both organisations and NTLAC have faced funding uncertainties and experienced staffing changes that made it difficult for staff to commit to meeting as regularly as planned, and to providing the resources initially offered.

NTLAC continued to seek guidance and feedback from NAAJA and LNAC about the progress of the Project and development of the toolkit through electronic and telephone communication rather than face to face meetings. As the key agencies in the area working with Aboriginal people living in in Darwin Aboriginal communities, it is vital that we continue to collaborate.

Recruitment

Recruitment of a project officer delayed the Project commencement from June to August 2015. In the Project proposal, LNAC and NAAJA planned to second to the NTLAC a staff member from LNAC or NAAJA to enable work to commence quickly and to draw partner organisations together. Staffing and other changes meant this did not occur.

NTLAC employed an external Aboriginal Project Officer who brought valuable local networks, skills and experience to the Project. The delay of several months, however, meant there was less time to develop and test the toolkit within the Project timeframe.

Future work should allow generous and flexible timeframes and identify a number of alternative options for staffing rather than relying on one plan.

Timeframes

The Project was funded to run for approximately eight months. This short time frame demanded swift action, which was well received by some ALAG members, who met on a fortnightly basis.

However, these fortnightly meetings were unrealistic when balanced with other tasks, including the time required to plan and organise those meetings. It was challenging for staff and services from NTLAC and other organisations to juggle other existing commitments and priorities. The fortnightly schedule was ultimately not realistic and sustainable throughout the Project.

The Project benefitted from the many established relationships the Aboriginal Project Officer brought to the role.

Although there was a lot of enthusiasm and goodwill to meet frequently, there could have been more time spent planning and organising meetings, consulting, researching and developing the kit.

The Project had to limit consultations due to deadlines and resources but would have benefited from continuing to meet with stakeholders to develop content, plan services and strengthen relationships.

Scope and content

There was a lot of interest in the Project by services and communities wanting to learn more and engage with legal services. The scope of the Project allowed it to maintain an open approach to explore a range of legal issues with the ALAG, communities and services.

The message from consultations was that legal education on all legal topics is important because Aboriginal people in the Darwin region experience legal issues in complex, multi-dimensional ways, rather than just as a single family law or civil law problem.

The Project designed the toolkit in a flexible format so that it may be expanded to include a wider range of topics and resources. However, it is important to strike a balance and not to overload people with information.

The key learning has been to continue to build confidence to ensure Aboriginal people living in Darwin Aboriginal communities identify when and how to get help (and from where), to resolve common day-to-day legal problems.

Evaluation

A formative evaluation of the Project took place throughout its implementation with the aim of improving design and performance. The guidance and input from the ALAG was critical to this approach during the Project.

ALAG members were asked to provide detailed and individual feedback through a survey questionnaire at the completion of the Project; this was completed by three people.

More could have been done to evaluate the Project if more time was allocated for the Project Officer. The next stepn should be evaluation to determine the effectiveness and impact of the toolkit.

6.11 Conclusion

This Project is an important step towards improving access to legal services and increased understanding of the legal issues that Aboriginal people living in Darwin Aboriginal communities experience.

The relationships developed have been the greatest achievement of the Project, especially with the ALAG. This group's advice and guidance about engaging with Darwin Aboriginal communities has been highly valuable. Future service planning can incorporate these lessons to work better with communities and empower Aboriginal staff and people to achieve better justice outcomes and resolution of legal issues.