



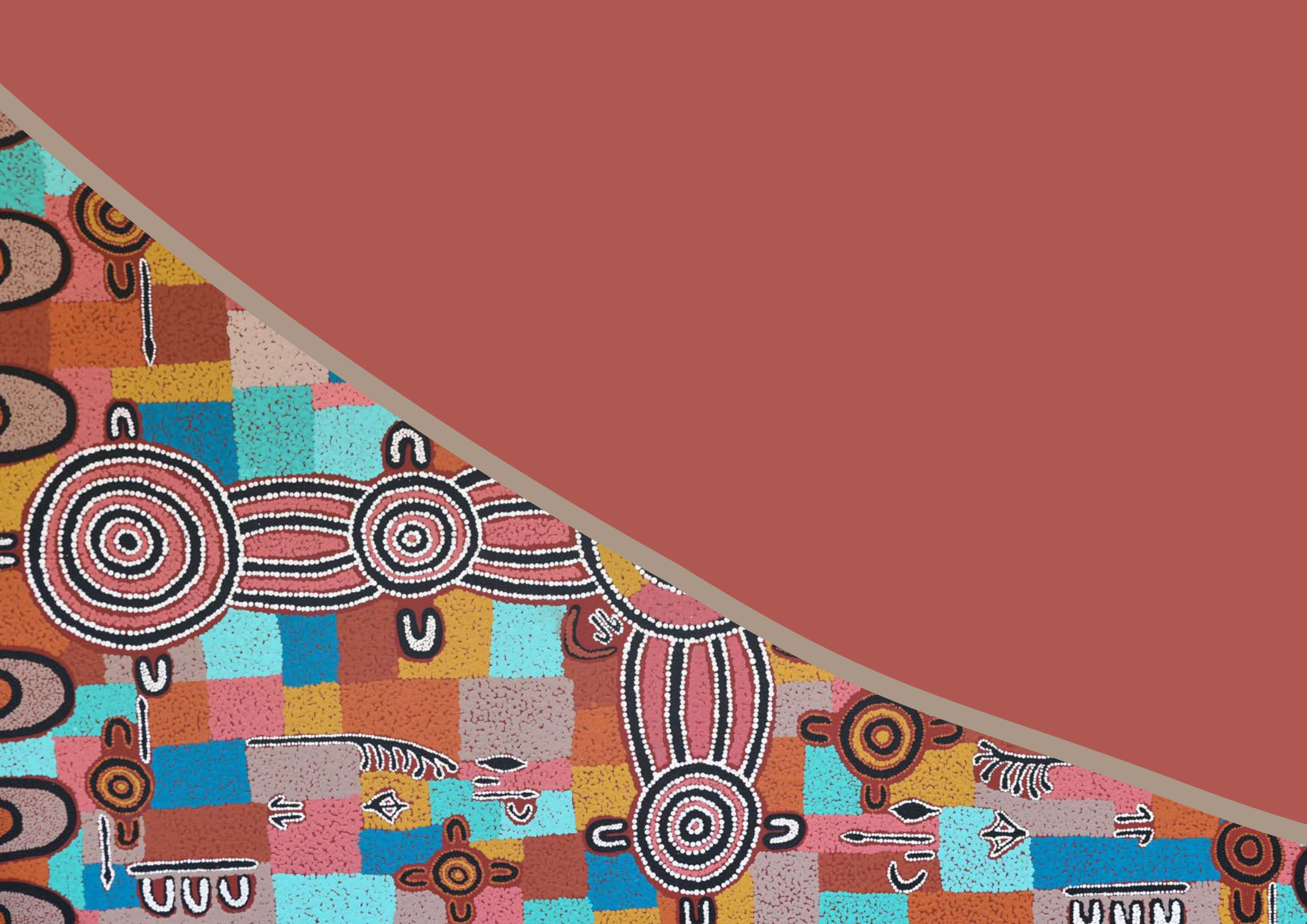
Jalpa

COMING TOGETHER



LEGAL AID
WESTERN AUSTRALIA

FIRST NATIONS STRATEGIC PLAN



MESSAGE FROM OUR FIRST NATIONS STAFF NETWORK

We acknowledge the Traditional Owners and Custodians across the vast State that is Western Australia and pay respect to Elders past, present and emerging.

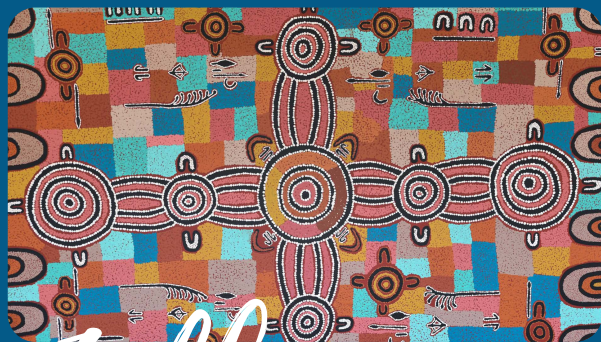
We acknowledge the Aboriginal Legal Service of WA and Aboriginal Family Legal Services as the leaders in providing culturally appropriate legal services for Aboriginal and Torres Strait Islander (Aboriginal) people and look forward to strengthening our working relationships to achieve the best outcomes for our people.

Last year the Legal Aid Commission of WA (Legal Aid WA) provided lawyers to Aboriginal West Australians on 26,886 occasions. One fifth of our clients identify as Aboriginal and the number of Aboriginal people seeking our help is increasing every year. In 2019-20, we provided 20% more grants of aid to Aboriginal people than in 2016-17. Our northern offices at Kununurra, Broome and South Hedland provide services to a client base that is almost solely Aboriginal. Given these figures and trends, it is important that Legal Aid WA have a plan for service delivery to our people. We aspire to be proactive and to spell out where Legal Aid WA is going over the next few years in terms of service delivery to Aboriginal Western Australians.

Legal Aid WA anticipates a future where services are tailored to the needs of our Aboriginal clients, improving cultural safety and accessibility. We hope to increase Aboriginal staffing levels in order to better reflect the diversity of our clients. We are excited by the prospect of collaborating with Aboriginal led organisations. We envisage, by implementing this plan, Legal Aid WA will be equipped to deliver improved justice outcomes and positively impact the lives of Aboriginal people in Western Australia.

This being our first Strategic Plan, it has been led by Legal Aid WA Aboriginal staff in its creation and development. Early in its growth, our First Nations Staff Network sought guidance from, and responded to, feedback from the dedicated Reconciliation Action Plan (RAP) committee. We consulted with Aboriginal Elders, clients and external stakeholders while remaining the drivers in the formation and ongoing growth of this strategy.

We are proud of our organisation's commitment to provide improved services to Aboriginal people and for allowing us to be heard, valued and supported.



Jalba
COMING TOGETHER

This painting represents the meeting of Aboriginal Lore & Law with Western Law. It shows the colours of Western Australia with each region and its people in our State represented. The centre circle is the metro region, the far left circle is the Kimberley region and the next is the Pilbara region. From the centre up, the circle represents the Wheatbelt, Goldfields and south to Esperance. From the centre down represents the Gascoyne and Midwest. And the circle south represents the Peel, South West and Great Southern.

The kangaroo, kangaroo paw, swan foot print, and boomerang represents the WA Coat of Arms which symbolise the Western Law in our State. The other cultural symbols such as the spears, the Elders seated, the shields and other tools represent Aboriginal Lore & Law.

This symbolism highlights that when we understand the difference in our cultures, we can all come together respectfully. Pre colonisation First Nations people had, and still have our own systems. We now must work within this new system. Understanding and respect is needed from both sides moving forward.

Artist Teejay (Thomas John) Cox Worrigal was born in Derby, Western Australia and raised on Gooniyandi country. Gooniyandi country is located in the central Kimberley region of Western Australia and includes the mighty Fitzroy River to the west and runs almost to Halls Creek in the east. Teejay was taught to paint by many Elders in his family, but particularly Marjorie Cox (Yiyili) and Frank Gardiner (from Balgo and Billiluna).

INTRODUCTION

This plan comes at a time when Aboriginal Western Australians are suffering significant disproportionate justice outcomes. In 2019-20, our people made up 3% of the Western Australian population but it is estimated that:

- **75% of young people in custody are Aboriginal**
- **38% of adult men in custody are Aboriginal**
- **47% of adult women in custody are Aboriginal**
- **55% of children removed from their families are Aboriginal**
- **Aboriginal women are 45 times more likely to experience family violence than non-Aboriginal women**
- **There has been an increase in Aboriginal deaths in custody since the 1991 Royal Commission**

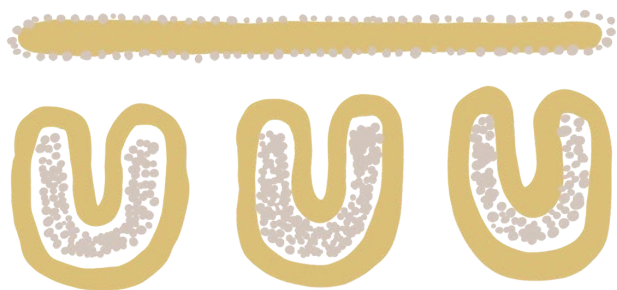
Legal Aid WA recognises that Aboriginal over-representation in the justice system in criminal law, child protection and family violence is directly linked to the inter-generational experience of European colonisation. That experience resulted in dispossession of land, disruption of culture and kinship systems, removal of children, racism, trauma, death, social exclusion, institutionalisation and entrenched poverty which continue to bear on Aboriginal people today.

Legal Aid WA is proud of its past 12 years with Reconciliation Australia and our own unique RAP. The development of a whole of agency comprehensive First Nations Strategic Plan aims to build on the good work generated by our current RAP and add to the commitments of our organisation to strengthen our vision. Our First Nations Strategic Plan is embedded in Legal Aid WA's Strategic Planning processes and operational systems, reporting directly to the Executive Management Team (EMT) in relation to outcomes, and is appropriately resourced to achieve its objectives and actions.

We believe that this plan will play an important role in delivering better justice outcomes for Aboriginal people in Western Australia.

OUR VISION

At Legal Aid WA, we continue to widen access to justice in a culturally safe and inclusive environment. We are committed to just and equitable treatment for Aboriginal people and communities.



OUR PURPOSE

Legal Aid WA is committed to improving justice outcomes for Aboriginal people in Western Australia. This plan sets out where our organisation is going with service delivery to Aboriginal clients and how it will get there. We have based the plan around:

- Increasing awareness and accessibility of our services;
- Delivering culturally informed and culturally safe services;
- Deepening our expertise in Aboriginal-specific legal issues;
- Increasing our employment of Aboriginal staff; and
- Addressing systemic problems in our justice system.

OUR GOALS

To deliver our vision we have identified five goals which we will focus upon over the next three years. They drive our strategic choices as well as our day-to-day actions.



1) CLIENTS AND SERVICES - INCREASE AWARENESS AND ACCESSIBILITY OF LEGAL AID WA SERVICES

- Improve Aboriginal engagement and use of Legal Aid WA services;
- Establish a dedicated Aboriginal legal help telephone line;
- Develop collaborative service delivery initiatives with dedicated Aboriginal support service organisations; and
- Provide more Aboriginal frontline staff to allow improved engagement and accessibility.

2) LEADERSHIP - CREATE AN ABORIGINAL SERVICES COORDINATOR POSITION WITHIN LEGAL AID WA AND EMPLOY ABORIGINAL PEOPLE ACROSS ALL LEVELS OF MANAGEMENT AND DIVISIONS TO ENSURE BETTER OUTCOMES FOR ABORIGINAL CLIENTS, STAFF AND COMMUNITY

- Provide growth and development opportunities for Aboriginal staff; and
- Include Aboriginal staff in all decisions related to business processes and client outcomes for our people.

3) PEOPLE AND CULTURE - DELIVER CULTURALLY SAFE AND INFORMED SERVICES OF AN EXCELLENT STANDARD TO ABORIGINAL-SPECIFIC LEGAL ISSUES

- Develop a cultural competency framework for all Legal Aid WA staff and panel practitioners;
- Ensure our leaders and staff have an improved understanding and knowledge of important social aspects that impact on the lives of Aboriginal Australians; and
- Ensure our staff have genuine respect for Aboriginal Australians.

4) EMPLOYMENT - INCREASE OUR EMPLOYMENT OF ABORIGINAL PEOPLE

- Increase our Aboriginal employment in Legal Aid WA to 5%, in 3 years;
- Increase our Aboriginal employment in Legal Aid WA to 10% in 6 years; and
- Increase Aboriginal employment retention.

5) ADVOCACY - COMMITMENT TO SOCIAL JUSTICE AND REDUCING SYSTEMIC BARRIERS FOR ABORIGINAL PEOPLE THROUGH LAW REFORM

- Be proactive in identifying and responding to systemic issues which negatively impact Aboriginal people;
- Contribute to reducing the number of Aboriginal children in care;
- Contribute to reducing the rates of incarceration of Aboriginal people; and
- Contribute to reducing the impact of social disadvantage of Aboriginal people.



OUR ACTIONS

CLIENTS AND SERVICES

- Develop best practice service delivery standards for representing Aboriginal clients;
- Review all Legal Aid WA policies to remove unnecessary barriers to Aboriginal people accessing justice;
- Establish a dedicated Aboriginal legal help telephone line and implement an Aboriginal selection option on Infoline to increase our services and encourage best practice standards;
- Develop closer connections between Legal Aid WA offices and their local Aboriginal communities;
- Extend the reach of our Community Legal Education (CLE) and hold annual CLE workshops;
- Investigate opportunities for metropolitan outreach to areas with high rates of Aboriginal people in disadvantage and homelessness;
- Increase involvement in community days such as NAIDOC;
- Represent Aboriginal culture on uniforms used for outreach;
- Create Legal Aid WA banners to show support at important marches and events including National Reconciliation Week, White Ribbon Day and PRIDE;
- Be a voice to Aboriginal people through social media; and
- Investigate extending our bail support, remand advocacy and parole support services to the regions.

LEADERSHIP

- Create a First Nations Staff Network which meets regularly and has a set of goals;
- Connect with the National Legal Aid First Nations Network;
- Adopt a 'Nothing about us, without us' approach to Legal Aid WA policy and processes affecting Aboriginal clients;
- Appoint a Coordinator of Aboriginal Services to report to the Executive Management Team in 2020-21;
- Identify an opportunity to appoint an Aboriginal Commissioner to the Legal Aid WA Board; and
- Develop a mentor program for Aboriginal law students.

PEOPLE AND CULTURE

- Develop best practice standards for representing Aboriginal clients;
- Implement a more effective policy of actively asking all clients whether they identify as Aboriginal;
- Carry out a 'legal health check' whenever a client identifies as Aboriginal;
- Carry out a comprehensive and independent organisational cultural inventory audit of all Legal Aid WA workplaces by the end of 2021;
- Review interactions and identify improvements in working interactions and relationships between Aboriginal and non-Aboriginal staff;
- Roll out ongoing and targeted cultural awareness training to staff which is region specific;
- Represent Aboriginal culture by displaying artefacts in offices and naming of spaces in local Aboriginal languages; and
- Offer free mandatory cultural awareness training for private panel practitioners.

OUR ACTIONS

EMPLOYMENT

- A target of 5% Aboriginal workforce within 3 years and 10% within 6 years;
- Maintain and support our First Nation's Staff Network;
- Develop an Aboriginal Employment and Career Development Strategy;
- Increase the number of Community Liaison and Education Officer roles within Legal Aid WA;
- Establish an Aboriginal cadetship program;
- Ensure culturally safe recruitment processes;
- Develop processes to ensure cultural safety in all Legal Aid WA workplaces;
- Provide help and support for Aboriginal people to apply for jobs at Legal Aid WA;
- Use 50d employment where suitable;
- Establish school-based traineeships;
- Establish an Aboriginal employment pathway for non-legal staff with a mentor system;
- Establish programs to encourage Aboriginal staff retention including wellness mentors and a buddy program; and
- Provide support and guidance for hiring managers.

ADVOCACY

- Proactively lead law reform on issues affecting Aboriginal people;
- Identify and respond to systemic issues within the administration of justice that contribute to the over representation of Aboriginal offenders and advocate for change;
- Explore the appointment of policy reform and human rights lawyer(s) to increase advocacy capacity;
- Support Aboriginal people in the broader legal industry by building links with Aboriginal led organisations;
- Identify structural disadvantage and disproportionate impacts on Aboriginal people and respond with strategic law reform and advocacy;
- Increase outreach and develop capacity building strategies within remote communities;
- Provide all criminal lawyers with training on trial and sentencing issues relevant to Aboriginal clients;
- Provide all family lawyers with training on Aboriginal cultural planning and family structures;
- Provide all child protection lawyers with training on cultural considerations that are important in making decisions about care arrangements for children;
- Investigate assisting Aboriginal people with Magistrates Court traffic matters;
- Investigate extending the Work and Development Permit Service Fines Triage Service to Perth Magistrates Court to assist Aboriginal people at regional courts where the Aboriginal Legal Service is not attending;
- Investigate assisting Aboriginal people with Child Protection matters; and
- Investigate the application of Gladue reports and sentencing principles in Western Australia.

AS WESTERN AUSTRALIA'S LARGEST PROVIDER OF LEGAL ASSISTANCE SERVICES, LEGAL AID WA PLAYS AN IMPORTANT ROLE IN ACCESS TO JUSTICE FOR ABORIGINAL PEOPLE AND WE ARE COMMITTED TO IMPROVING THE EXPERIENCES FOR ABORIGINAL PEOPLE NAVIGATING THEIR WAY THROUGH THE JUSTICE SYSTEM



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