

4 September 2026

The Hon Anthony M. North KC
Chair
Victorian Law Reform Commission
Via email only: legal.privilege@lawreform.vic.gov.au

RE: Djirra submission to Victorian Law Reform Commission (VLRC) inquiry into Legal Privilege and Integrated Legal Assistance Services (Inquiry)

Djirra welcomes the opportunity to provide feedback to this Inquiry.

Djirra is a specialist Aboriginal Community Controlled Organisation (“ACCO”) with over 24 years’ experience accompanying Aboriginal and Torres Strait Islander women¹, and their children, on their individual journeys. All the women Djirra assist are at risk of or have experienced family and/or sexual violence, and the majority are mothers. Self-determination is the foundation of everything we do.

Djirra delivers high quality, holistic, culturally safe, specialist family violence legal services, intensive case management, cultural and well-being programs, early intervention and policy advocacy across Victoria. Djirra’s signature programs, Sisters Day Out®, Dilly Bag and Young Luv®, have been recognised as best practice both internationally and by Victoria’s Royal Commission into Family Violence. These programs provide another access point to our frontline services. Djirra’s full suite of services are also delivered to Aboriginal women in prison. As part of our 2025-2029 Strategic Plan, Djirra is expanding our services and programs across regional Victoria with the aim of ensuring our full suite of holistic services reach every corner of the state.

This submission draws on Djirra’s extensive experience on the frontline of Aboriginal women and children’s safety, in particular our integrated service model that has successfully evolved over two decades and has enabled Djirra to provide a wraparound model supporting Aboriginal women across Victoria.

See **Appendix A** for further details about Djirra’s programs and services.

¹ **Notes on language:** Whilst Djirra predominantly represents Aboriginal and Torres Strait Islander women, we also represent non-Indigenous mothers of Aboriginal and Torres Strait Islander children. In this submission, “Aboriginal” is used to refer to all “Aboriginal and/or Torres Strait Islander” people.



Summary of Recommendations

The Commonwealth and Victorian Governments must recognise that Aboriginal women experience unique barriers and heightened risks when seeking assistance, and therefore require stronger protections for confidential help-seeking communications than are currently provided by legal professional privilege.

Recommendation 1: Create a new category of legal privilege that protects Aboriginal women's help-seeking in integrated legal settings.

Recommendation 2: Ensure reforms strengthen Aboriginal women and children's safety.

Recommendation 3: Any reform must recognise the heightened barriers and risks faced by Aboriginal women seeking assistance.

Recommendation 4: Protect help-seeking communications before a legal issue is formally identified.

Recommendation 5: Protect culturally specific forms of communication and help-seeking.

Recommendation 6: Prioritise protection where there is a risk of child protection intervention, including mandatory referrals for early legal assistance and wraparound support as recommended by the Yoorrook Justice Commission.

Recommendation 7: Fund regional expansion of Djirra's integrated legal practice model.

Recommendation 8: Reform implementation must be led by Aboriginal Community Controlled Legal Services and appropriately funded.

Recommendation 9: Develop and fund Aboriginal specific guidance and training.

Recommendation 10: Victorian Government provide sustainable funding for Djirra's Sistas Connect pilot as an integrated intake and referral pathway.



What Djirra knows from more than two decades of working with Aboriginal women

The below is not exhaustive; however, it reflects the key insights Djirra has gained from more than two decades of work on the frontline of Aboriginal women and children's safety:

- Aboriginal women's experiences are unique and diverse.
- The vast majority of women supported by Djirra's frontline workers experience violence perpetrated by non-Aboriginal men.
- Aboriginal women's experiences of violence are gendered and shaped by racism.
- Aboriginal women's experiences of systems abuse are prevalent and unacceptable.
- Aboriginal women seeking safety can face increased surveillance and system intervention.
- Aboriginal women are punished by systems for the violence perpetrated against them.
- Fear of child removal prevents Aboriginal women from seeking support.
- Misidentification of Aboriginal women as perpetrators has serious and lasting consequences.
- More contact with police and statutory systems does not necessarily mean greater safety for Aboriginal women.
- Aboriginal women know what we need to be safe.
- Self-determination is fundamental to Aboriginal women's safety.
- Aboriginal women are safest when access is available to Aboriginal women-led, specialist, culturally safe legal and family violence support services.
- Early intervention and prevention programs are essential.
- Aboriginal women must be heard, and our expertise must inform the systems, policies and responses that affect our lives.

The feedback below draws from Djirra's extensive frontline experience and the expertise of Aboriginal women, with self-determination the foundation of everything we do.

Djirra Feedback on Consultation Paper

Aboriginal-led specialist integrated legal services, such as Djirra delivers, provide critical support to Aboriginal women who may otherwise feel unsafe to access mainstream services due to experiences of racism and other failures by the family violence and justice system.

Aboriginal women commonly seek support from Djirra for interconnected issues including family violence, child protection, housing, mental health, wellbeing and cultural support. In Djirra's experience, women may not necessarily identify or disclose an underlying legal need when they first seek support. Help-seeking is often non-linear, with legal needs emerging only after trust has been established through engagement with non-legal programs.

Djirra's service model integrates legal services, family violence support, case management, cultural programs and wellbeing programs to provide holistic and culturally safe responses. Aboriginal women frequently enter Djirra through "soft entry points" such as Koori Women's Place, Sisters Day Out®, Dilly Bag, Young Luv® and other wellbeing programs before engaging with lawyers. These programs provide trusted environments where women feel safe to disclose family violence, seek support and identify legal issues.



Djirra's engagement with Victoria's Royal Commission into Family Violence illustrates the value of our service model. The Commission attended Djirra's Dilly Bag program to gather evidence from 12 women, each of whom chose to disclose experiences of family and sexual violence in a space that was culturally safe to do so.

Current privilege laws create artificial barriers within integrated services

To protect legal privilege, Djirra maintains strict information barriers between our service areas, the Aboriginal Family Violence Legal Service (AFVLS), Individual Support Services (ISS) and Koori Women's Place (KWP). A key part of this is ensuring that when women access our services, they are aware of the distinct and specialist roles that each of our practitioners play, and the extent to which their information will be protected by legal privilege, if at all. It is important that we continue to raise awareness amongst Aboriginal women and the family violence sector about what legal privilege means and the differences between roles within the legal profession and the broader family violence service sector.

Trusted workers are often critical to legal engagement

Some Aboriginal women frequently seek support from Djirra's community engagement workers, case managers, KWP staff and Paralegal Support Workers before feeling safe enough to engage with a lawyer. Some women prefer trusted support workers to remain present during legal appointments because they provide cultural safety, emotional support and assistance in communicating complex experiences of family violence and trauma. The current dominant purpose test does not adequately reflect these realities of integrated legal practice.

Djirra's experience is that without broader reforms, Aboriginal women may effectively be forced to choose between maintaining legal privilege and receiving fully integrated support. This outcome undermines trauma-informed and culturally safe practice and creates additional barriers to seeking safety.

Recommendation 1: Create a new category of legal privilege that protects Aboriginal women's help-seeking in integrated legal settings

The *Evidence Act 2008* (Vic) and *Evidence Act 1995* (Cth) should be amended to create a new category of legal privilege that protects the confidential information of Aboriginal women seeking assistance through integrated legal assistance services, including communications with non-legal professionals working alongside lawyers.

Any new privilege should be absolute and:

- Protect oral and written communications;
- Apply to courts and investigative bodies;
- Apply consistently across jurisdictions; and
- Not contain broader safety exceptions than those that currently apply under the Australian Solicitors Conduct Rules.

A lower threshold would undermine trust, discourage disclosure and reduce Aboriginal women's willingness to seek legal assistance. Any erosion of this trust has the potential to place Aboriginal women and children at risk.



In circumstances where it is not clear whether the new privilege applies, e.g. in subpoenaed material, mandatory considerations should be included in relevant legislation or guidance for judicial decision makers. These considerations could include:

- Whether the relevant information was provided when the person was seeking help; and
- Whether the request for information could be classified as systems abuse or cause further harm to victims.

Any reform should expressly recognise that Aboriginal women frequently seek integrated legal assistance through culturally safe and holistic service models, where safety, legal, cultural, wellbeing, family violence, housing and child protection issues are deeply interconnected. Communications made while seeking help for these interconnected needs should be protected.

It is essential that any reform also carefully considers the intersection of privilege with existing legislation for mandatory reporting and information sharing.

Creating a category of legal privilege explicitly for Aboriginal women is critical due to the unique barriers and heightened risks Aboriginal women face when accessing justice to keep themselves and their children safe.

Recommendation 2: Ensure reforms strengthen Aboriginal women and children's safety

Djirra's experience is that Aboriginal women are more likely to disclose family violence, child protection concerns, mental health issues, substance use and other vulnerabilities when they trust that their communications will remain confidential. Legal privilege provides Aboriginal women with a safe space to discuss experiences of violence and seek assistance without fear that their disclosures will later be used against them. Any reduction in confidentiality protections risks discouraging women from seeking help or being fully open with their lawyers and support workers.

Privilege functions as a safety mechanism

Privilege should be viewed as a shield that enables Aboriginal women to disclose family violence, suicide risk, drug and alcohol use and other safety concerns without fear that information will be disclosed to Child Protection, Police or other authorities. Djirra's integrated model allows women to access legal, cultural, wellbeing and safety supports following those disclosures, creating a critical intervention point before issues escalate into crisis. Strengthening, rather than weakening, privilege protections are therefore directly linked to the safety of Aboriginal women and children.

Lower safety thresholds may have unintended consequences

Djirra does not support safety exceptions that are broader than the existing exceptions under the Australian Solicitors Conduct Rules because they would undermine confidence in the lawyer-client relationship. If Aboriginal women believe their information could be disclosed at lower thresholds, they may withhold information about serious risks, making it harder for legal services to identify needs and connect women with appropriate support. Reforms intended to improve safety could therefore have the opposite effect by preventing early disclosure and intervention.



Aboriginal women already face heightened risks

Aboriginal women experience disproportionately high rates of family violence, child protection intervention, suicide, housing insecurity, racism and criminalisation. Aboriginal women die by suicide at significantly higher rates than other women nationally² and experiences of family violence, child removal and systemic discrimination compound those risks. In this context, maintaining strong confidentiality protections is particularly important because disclosures made to lawyers often provide opportunities to connect women with life-saving support.

Absolute protection is necessary to maintain confidence

Djirra argues that a qualified privilege would provide limited practical protection because courts may determine that the evidentiary value of information outweighs the harm caused by disclosure. Aboriginal mothers experiencing family violence are especially vulnerable to requests for access to confidential information relating to parenting capacity, mental health, substance use or child safety concerns. An absolute privilege provides certainty to women and supports confidence that seeking help will not expose them to additional risks.

Consistent protections are needed across jurisdictions

Many Aboriginal women interact with state, territory and Commonwealth systems simultaneously, including family violence, child protection and family law jurisdictions. Inconsistent protections across jurisdictions may create confusion for clients and opportunities for perpetrators to engage in systems abuse by seeking records through alternative forums. Consistency is therefore essential to maintaining both safety and confidence in the legal system.

Recommendation 3: Any reform must recognise the heightened barriers and risks faced by Aboriginal women seeking assistance

Any reform must acknowledge that Aboriginal women experience unique barriers and disproportionate risks when seeking support, including:

- Family and sexual violence;
- Child protection intervention and child removal;
- Misidentification as perpetrators of family violence;
- Criminalisation;
- Racism within legal, justice and service systems;
- Housing insecurity and poverty; and
- Reduced access to culturally safe support services, particularly in regional areas.

These issues rarely occur in isolation and often compound one another. The law should therefore provide enhanced protection for Aboriginal women's confidential information to ensure that fear of legal consequences, child removal or information disclosure does not prevent them from seeking help from integrated legal services.

Family violence and child protection systems are closely connected

² In 2023, the suicide rate for Aboriginal women was 2.6 times higher than other women nationally - Australian Institute of Health and Welfare (2023), *Suicide and intentional self-harm hospitalisations among First Nations people*.



Family violence is a major driver of child protection intervention and child removal. In 2023-24, over 70 per cent of child protection notifications involving Aboriginal children were substantiated on the basis of physical, sexual or emotional abuse, including exposure to family violence³. Djirra regularly supports Aboriginal mothers who fear that disclosing family violence, mental health concerns or other vulnerabilities may increase the likelihood of child protection involvement.

The relationship Aboriginal women have with legal, family violence and child protection systems is shaped by experiences of racism, misidentification, criminalisation and the ongoing over-representation of Aboriginal children in out-of-home care. These experiences create additional barriers to disclosure and reinforce the need for stronger protections for legal privilege in integrated services when seeking help.

Strong confidentiality protections promote safety

Djirra's experience is that Aboriginal women are more willing to disclose sensitive information when they believe it will remain confidential and will not be disclosed to Child Protection or Police. Privilege operates as a protective mechanism that allows women to seek support, disclose risks, access legal advice and engage with wrap-around services without fear that their information will later be used against them. When Aboriginal women can seek help safely and without fear of being punished for the violence they have experienced, Aboriginal women and children are safer and more likely to remain together.

Recommendation 4: Protect help-seeking communications before a legal issue is formally identified

Protection should extend to circumstances where there is underlying, but not necessarily identified, legal need. The new privilege should apply from the moment a client seeks assistance through an integrated legal service, regardless of whether:

- She has identified a legal problem;
- She is speaking to a lawyer;
- She is providing instructions; or
- Legal proceedings are contemplated.

This includes disclosures made to support workers, community engagement workers, intake workers, case managers, counsellors and cultural support workers who often act as trusted first points of contact.

Aboriginal women often do not identify their legal needs when they first seek help

Aboriginal women commonly approach Djirra seeking support for family violence, wellbeing, housing, cultural connection, parenting concerns or other practical issues, without recognising that they have an underlying legal issue. Legal needs frequently emerge only after trust has been established and a woman has had time to discuss her circumstances in a culturally safe environment.

³ [Australian Institute of Health and Welfare \(2025\), Child protection 2023 – 24: Aboriginal and Torres Strait Islander Children Table 10.2.](#)



Djirra's experience is that help-seeking behaviours are often gradual and non-linear. Further legal and non-legal needs may only become apparent after an ongoing relationship has been developed with a support worker, community engagement worker or wellbeing program facilitator. Restricting protection to communications made after a legal issue has been identified and legal advice has been provided would fail to reflect how Aboriginal women actually access services.

Soft entry points are critical pathways to legal assistance

As outlined above, programs such as Koori Women's Place, Sisters Day Out®, Dilly Bag and other cultural and wellbeing programs frequently provide the first opportunity for Aboriginal women to disclose family violence, seek support or discuss concerns affecting themselves and their children. Women often attend these programs multiple times before feeling safe enough to seek legal assistance or disclose serious safety concerns. These programs function as trusted entry points into Djirra's broader integrated service model and often lead to referrals to legal services, case management and other supports.

Early disclosures are often the most important

Information shared during intake, initial engagement or informal yarning may reveal family violence, child protection concerns, legal problems or immediate safety risks. Djirra notes that clients and referral agencies often provide detailed information about legal matters before a lawyer has assessed the matter, and sometimes before it is known whether Djirra can act for the client. Stronger protections are needed because these early disclosures are often made for the purpose of seeking assistance, even where no formal lawyer-client relationship has yet been established with the AFVLS.

A "no wrong door" approach depends on protecting early communications

Djirra operates a no wrong door model, ensuring women can access support regardless of how they first engage with the organisation. Limiting protection to communications made directly to lawyers would undermine this model and create gaps in protection for women who enter through cultural, wellbeing or family violence programs.

Case story⁴

Danielle is an Aboriginal woman living with a mental health condition and she experiences sensory sensitivity issues when under stress. Djirra's PLSW set up a Djirra room with dim lighting and sensory equipment, to assist Danielle to remain calm and be able to engage with the hearing. The lawyer made submissions before the Magistrate for an Interim FVIO, and it was granted. The matter was otherwise adjourned. Danielle's anxiety continued however, so before attempting a debrief, the PLSW brought in a cup of tea and the lawyer asked if she would like to spend some time yarning with a woman from Djirra's Koori Women's Place (KWP) before they continued their conversation. Danielle said she'd love that. The KWP worker and Danielle sat together, still in the dimly lit room, having a yarn about Danielle's country and family while completing a painting together with art supplies always available in that room. When calm

⁴ To protect the anonymity of those involved, this is a fictionalised account drawn from an amalgamation of real-life stories of Aboriginal women, experiences, and testimonials gathered from our frontline workers. Any resemblance to actual individuals is purely coincidental.



Danielle talked with her lawyer about the next steps in her FVIO matter and together they formulated a plan that Danielle was happy with.

Recommendation 5: Protect culturally specific forms of communication and help-seeking

The new privilege should recognise the ways Aboriginal women seek support and communication. Protection should extend to:

- Yarning and storytelling;
- Group-based support settings;
- Women's Business;
- Cultural healing programs;
- Community-based wellbeing programs; and
- Communications made in the presence of trusted support people.

The law should not assume that confidential information is only shared in traditional one-to-one lawyer-client settings.

Aboriginal women often seek support through culturally specific forms of communication

Djirra's service model is built on Aboriginal ways of sharing knowledge, building trust and seeking support, including yarning, storytelling, relationship-building and collective problem solving. Aboriginal women may seek support in group settings and through Women's Business, with an expectation that their disclosures and help-seeking will be treated as confidential. Current legal privilege frameworks are based on traditional understandings of lawyer-client communications and do not adequately reflect these culturally specific forms of engagement.

Cultural programs are often trusted entry points to legal assistance

Koori Women's Place programs strengthen connection to culture, create awareness of Aboriginal women's rights and provide safe pathways into legal and family violence services. Women frequently develop trust through cultural and wellbeing programs before disclosing family violence, child protection concerns or other legal problems. Participation in cultural programs can directly lead to engagement with lawyers, case managers and other supports.

Group settings are an important form of help-seeking

Programs such as **Sisters Day Out®**, **Young Luv®** and **Dilly Bag** provide culturally safe spaces where Aboriginal women receive information about legal rights, family violence, available supports and pathways to assistance. These programs allow women to learn from one another, build confidence and seek help in ways that feel culturally safe and familiar. Communications occurring in these environments may be closely connected to future legal assistance, even where a lawyer is not present at the time of disclosure.

Aboriginal women frequently want trusted workers to remain involved when engaging with legal services because those workers provide cultural safety, emotional support and practical assistance. Women commonly ask staff to speak with their lawyer, attend appointments or assist them in communicating their experiences. The current legal framework creates uncertainty where support workers are present during legal discussions or assist women to access legal advice.



Cultural safety is critical to disclosure

Djirra's experience is that Aboriginal women are more likely to disclose sensitive information once trust has been established through culturally safe spaces and relationships. Restricting protection to formal lawyer-client communications risks excluding many of the interactions through which Aboriginal women first seek help and identify legal needs.

Recommendation 6: Prioritise protection where there is a risk of child protection intervention, including mandatory referrals for early legal assistance and wraparound support as recommended by the Yoorrook Justice Commission

Recommendation 7: Fund regional expansion of Djirra's integrated legal practice model

The Commonwealth and Victorian Governments must recognise that family violence is a significant driver of child protection intervention for Aboriginal mothers and the removal of their children. The Victorian rate of Aboriginal children in out-of-home care is 90.5 per 1,000 children, highlighting the devastating over-representation of Aboriginal children in the child protection system, one of the highest in the country.⁵

Any reforms should ensure that Aboriginal women can seek support without fear that their confidential disclosures may later be used against them in child protection investigations or proceedings.

In regional areas, Aboriginal women often have limited access to holistic, culturally safe legal and non-legal assistance. These risks are escalated in circumstances where trusted local ACCOs exercise delegated Child Protection powers under section 18 of the *Children, Youth and Families Act 2005* (Vic), or where services are co-located with Child Protection through hubs such as The Orange Door. Djirra staff report that many Aboriginal mothers feel uncomfortable or unsafe accessing family violence services in these settings; for fear that in seeking support for their safety, they will be punished and their children will be removed.

Further, Djirra's AFVLS are aware of instances where clients have expressed hesitancy or refused to engage with external services as they are concerned their information will be provided to child protection. Djirra has consistently raised concerns regarding the transferral of powers from the Department of Families, Fairness and Housing (DFFH) to s.18⁶ ACCOs, particularly in Victoria's regions. In practice, this means that generalist ACCOs that provide multiple programs; such as men's behaviour change programs, cultural strengthening programs, convening Aboriginal Family Led Decision making meetings and health services, also take on the role of child protection services. This will have the potential, whether perceived or actual, for conflicts of interest, with the outcome being that Aboriginal women and children's safety may be compromised.

It is critical that Aboriginal women have access to services where their disclosures are protected by legal professional privilege. In Djirra's experience, Aboriginal women may not initially recognise that their circumstances involve a legal issue, particularly in relation to child

⁵ SNAICC (2025), Family Matters Report 2025 [p.115].

⁶ Section 18 of the *Children, Youth and Families Act 2005* (Vic)



protection. This means that they may disclose critical information to workers who are not lawyers, increasing the risk of child protection intervention.

In this context, Aboriginal-led specialist integrated legal services such as Djirra may be one of the few places where Aboriginal women can safely seek holistic family violence support without fear that their information will be shared in ways that may increase the risk of child removal. Legal privilege is central to this trust. An expanded privilege would provide women with greater assurance and protection when help-seeking, which recognise the unique ways Aboriginal women seek and receive support for interconnected needs. While we understand that the VLRC cannot make recommendations in relation to funding, significant legislative reform cannot be implemented without any additional service uplift.

Funding for Djirra's regional expansion of our integrated legal practice model

The Commonwealth and Victorian Governments should provide sustainable, long-term funding to expand Djirra's integrated model across regional and rural Victoria, which would improve equity of access to justice outcomes for Aboriginal women regardless of location.

Demand for Djirra's services continues to grow across all program areas. This is evidenced by a 54% increase in participation in Koori Women's Place in 25-26 FY compared to the previous year, and a 211% increase in new legal service clients between 2020 and 2025. As demand has grown, so too has our Aboriginal-led workforce which make up approximately 40% of Djirra's current staff.

Continued demand demonstrates the need for sustained funding to support growth of our integrated model beyond metropolitan Melbourne. Djirra's 2025-2029 Strategic Plan includes expansion across regional Victoria with the goal of providing its full suite of holistic services (AFVLS, ISS and KWP) from regional offices across the state. Djirra's vision is that no Aboriginal woman in Victoria should have to travel more than 1 hour or 100kms to access our services for her safety.

Mandatory referrals for legal and non-legal support

The Yoorrook Justice Commission received evidence that pre-birth reports often do not lead to support for pregnant Aboriginal women and instead are the precursor for their child's entry to the child protection system.⁷ This is a significant systemic failure.

Access to culturally safe legal assistance and holistic support at the earliest possible stage can fundamentally change the trajectory of a child protection matter. It enables Aboriginal women to understand their rights, access legal and non-legal support, and navigate complex child protection systems. This can reduce the likelihood of child removal and improve prospects for family preservation and reunification.

For this reason, Djirra has long advocated for the establishment of a Child Protection Notification and Referral System (CPNRS) in Victoria. The Yoorrook Justice Commission agreed

⁷ Yoorrook Justice Commission. (2023). [Yoorrook for Justice: Report into Victoria's Child Protection and Criminal Justice Systems](#).



that a system, like Djirra's CPNRS, would benefit Aboriginal women and families to 'navigate the complexity of the child protection system—particularly given the intersections between risk of child protection involvement and homelessness, family violence and other areas of disadvantage.'⁸ It recommended (**Recommendation 12**) that child protection automatically notify an Aboriginal legal service when a pre-birth report is made concerning an Aboriginal woman, or when a report about an Aboriginal child is substantiated.⁹ In Victoria, there is agreement that referrals be directed to Djirra for Aboriginal mothers and non-Aboriginal mothers of Aboriginal children, and to the Victorian Aboriginal Legal Service for other parents/carers and children. The CPNRS would ensure Aboriginal women receive critical early legal assistance, supporting efforts to prevent child removal and enabling Aboriginal mothers and children to remain together and heal following family violence.

Child removal causes profound harm to Aboriginal women and families

Djirra knows the devastating impact of child removal on Aboriginal mothers, including grief, loss and significant impacts on mental health and wellbeing. Djirra's evidence to the Federal Inquiry into the Relationship between Domestic, Family and Sexual Violence and Suicide urged the Inquiry to explore the connection between family violence, child removal and heightened suicide risk for Aboriginal women.¹⁰ Strengthening protections for help-seeking communications, with a new category of legal privilege for ACCOs, can therefore function as both a family violence response and an early intervention strategy aimed at keeping Aboriginal women and children safely together.

Case story¹¹

Kelly is a pregnant Aboriginal woman. Just before she is due to give birth, Child Protection contacted her and her husband John. The worker expresses concern for their parenting capacity, family violence and drug use. There had been no family violence between Kelly and John, there were no police records, and none of the hospital pre-natal staff had raised any concerns. Child Protection relied solely on previous child protection involvement with their older children.

Once Kelly gave birth, Child Protection filed a Protection Application, removed the baby and placed the baby with a non-Aboriginal foster carer. The Protection Application triggered a referral to Djirra's AFVLS who provided advice to Kelly and supported her to follow all the Court Orders to assist her with reunification. For Kelly this was very stressful and difficult and included completing supervised drug tests ('SUDS'), attending family violence and AOD counselling and attending a psychological assessment. All of Kelly's SUDS were clean for illicit substances, and her AOD counsellor questioned why she had even been referred for counselling. The PLSW supported Kelly to obtain reports from her workers, which all spoke of Kelly's incredible

⁸ Yoorrook Justice Commission. (2023). [Yoorrook for Justice: Report into Victoria's Child Protection and Criminal Justice Systems](#). p. 149.

⁹ Yoorrook Justice Commission (2023), Yoorrook for Justice Report, Recommendation 12 [p.31].

¹⁰ 08 April 2026 - Evidence of Djirra to Standing Committee on Social Policy and Legal Affairs in the Inquiry into the relationship between domestic, family and sexual violence and suicide.

¹¹ To protect the anonymity of those involved, this is a fictionalised account drawn from an amalgamation of real-life stories of Aboriginal women, experiences, and testimonials gathered from our frontline workers. Any resemblance to actual individuals is purely coincidental.



commitment to being a mother. Djirra's Lawyer advocated for Kelly's baby to be immediately returned to her mother's care, and for their Protection Application to be withdrawn. After 4 months, Child Protection agreed and withdrew their application.

AFVLS also assisted Kelly with financial support to assist her to travel to appointments during the matter and buy baby supplies when the baby was returned to her care with limited notice. Djirra's PLSW supported Kelly to be linked in with case management, so she would be well supported after the legal matter ended. Kelly and John will never get back those four months of bonding with their baby. Had Kelly been referred to Djirra for early legal advice and wrap-around support whilst pregnant, her baby's removal and the damage it caused, would have likely been avoided.

Recommendation 8: Reform implementation must be led by Aboriginal Community Controlled Legal Services and appropriately funded

Recommendation 9: Develop and fund Aboriginal-specific guidance and training

Any reform process should be led by specialist Aboriginal Community Controlled Legal Services.

Implementation should be guided by the principles of self-determination, be appropriately funded and recognise Aboriginal women's expertise regarding the barriers they face when seeking help from legal, family violence and government systems. Djirra has more than 24 years' experience supporting Aboriginal and Torres Strait Islander women experiencing family violence. This experience provides a unique understanding of how privilege, confidentiality, information-sharing obligations and integrated service delivery operate in practice.

Reform processes should recognise and centre Aboriginal women's lived expertise regarding what helps or discourages help-seeking.

Self-determination is central to effective service delivery

As outlined above, self-determination is the foundation of Djirra's work and service delivery. Aboriginal women are more likely to engage with services that are culturally safe, community-controlled and responsive to Aboriginal ways of seeking support. Reform that is designed without Aboriginal leadership risks overlooking the realities of help-seeking and integrated practice within Aboriginal communities.

Aboriginal-led implementation will support culturally safe reform

Any guidance, training and implementation materials must be Aboriginal-led and developed specifically for Aboriginal women and the services supporting them. Aboriginal Community Controlled Legal Services are best placed to develop culturally safe guidance that explains these concepts in a way that is meaningful and accessible to Aboriginal women.

Reform must be adequately funded

Effective implementation requires more than legislative reform and should include training, guidance and resources for lawyers, non-legal professionals and clients. Without dedicated funding, organisations may struggle to operationalise reforms consistently across integrated



legal practices. Funding should support implementation, workforce development, community education and Aboriginal-led guidance materials.

Governments should fund the development of:

- Aboriginal-led practice guidance;
- Plain language resources for Aboriginal women;
- Training for lawyers and non-legal practitioners working in integrated settings supporting Aboriginal women; and
- Judicial guidance on interactions between privilege, family violence information sharing, child information sharing and mandatory reporting frameworks.

Recommendation 10: Victorian Government provide sustainable funding for Sista's Connect as an integrated intake and referral pathway

The Commonwealth and Victorian Governments should provide ongoing funding for Djirra's Sista's Connect program as a culturally safe, Aboriginal community-controlled intake, engagement and referral pathway for Aboriginal women.

Sista's Connect will act as a trusted point of entry to Djirra's integrated service model, connecting Aboriginal women with legal assistance, family violence support, case management, wellbeing programs and cultural supports. The program plays a critical role in engaging women who may not otherwise access services due to experiences of discrimination, geographic isolation, fear of statutory intervention, or mistrust of mainstream systems.

Sustainable investment in Sista's Connect would strengthen early intervention, improve access to justice, and ensure Aboriginal women can be connected to the right support at the earliest opportunity, before issues escalate into crisis, child protection involvement, homelessness or further violence.

This work should be informed by the voices and experiences of Aboriginal women.

Djirra has extensive experience in the complexities in the delivery of integrated legal services, which could not be fully captured here, and would welcome the opportunity to consult with the Commissioners on our experiences and how it underpins our recommendations.

Should you wish to discuss our submission, please contact Director Legal Services, Anne Lenton, at [REDACTED]

Yours sincerely,

[REDACTED]

Antoinette Braybrook AM
Chief Executive Officer

Appendix A: Djirra Programs

The full suite of services Djirra provides are outlined in more detail below.

Aboriginal Family Violence Legal Service

The Aboriginal Family Violence Legal Service (AFVLS) is part of Djirra, but operates as a legally and operationally separate service with a strict information barrier.

Each client is assisted by a Lawyer and Paralegal Support Worker (PLSW), who work together to address interrelated legal and non-legal issues in a culturally safe way. PLSWs provide culturally safe support that is distinct from a traditional paralegal role. The PLSW and client relationship provides a vital opportunity for informal communication and trust between the client and AFVLS recognising that many Aboriginal women have been failed by the justice and family violence systems.

The AFVLS assists clients in the following areas of law:

- Family Violence Intervention Orders
- Family Law (parenting and divorce only)
- Child Protection
- Victims of Crime (Financial Assistance Scheme)

Support needs are first identified during legal intake and the initial appointment with the lawyer. The client is then provided with ongoing support and information throughout their legal matter, including:

- **General client support** including safety and support screening and emotional support.
- **Referral support to connect women with broader support services** including culturally safe counselling services, case management, food banks and disability support workers. Referrals may be client-led or provided to support client compliance with court-ordered conditions.
- **Direct financial support for items related to the legal matter** such as transport to court, or a phone so they can safely speak to the lawyer.
- **Court, justice and advocacy supports** including at court and tribunal hearings, when making reports to police and attending DFFH case planning and Aboriginal Family Led Decision Making meetings.

Individual Support Services (ISS)

ISS is a specialist family violence casework service offering personalised emotional, cultural and practical support to Aboriginal women and their children who are dealing with family violence or have experienced it in the past and are still not safe. The services provided by ISS include:

- **Case management** - providing short to medium term support for practical issues including safety planning, housing stress, family violence and safety concerns, health issues, money worries and child or family concerns. The focus is on:
 - Harm minimisation
 - Strengths-based practice

- Child-focused safety planning
- Client advocacy
- Ethical and legal compliance.
- **Alcohol and other Drugs (AOD) services** - providing AOD assessment and ongoing support which may include care coordination and connecting clients with withdrawal and rehabilitation treatment.
- Djirra's ISS team is the only statewide Aboriginal Community Controlled Organisation (ACCO) provider of Flexible Support Packages to Aboriginal women and children across Victoria. Flexible Support Packages are used to support women with:
 - Safety upgrades
 - Relocation expenses
 - Rental bond payments
 - Furniture
 - Recovery-related costs; and
 - Practical supports linked to family violence recovery.

Koori Women's Place (KWP)

KWP supports Aboriginal women's strengths, safety and social and emotional wellbeing. Services are delivered in-person at Djirra's Abbotsford office and some of our regional offices across Victoria, as well as virtually. KWP offers Aboriginal-led programs that strengthen connection to culture, offer safe pathways to access services, and create awareness about the rights of Aboriginal women.

Our KWP programs also strengthen confidence, self-worth and pride in identity, protective factors often eroded by prolonged family violence. Women who engage with Djirra frequently build strong, trusting relationships, increasing their willingness to seek support from other Djirra's other programs and external providers.

Cultural and Wellbeing Workshops

Djirra delivers a range of prevention, wellbeing and cultural healing programs for Aboriginal women and girls, which have been recognised internationally and Victoria's Royal Commission into Family Violence as best practice.

Sisters Day Out® is a one-day wellbeing workshop held regularly in community, where Aboriginal women support each other, get information about legal rights and options, and engage with mainstream and Aboriginal support services. A specialised prison-based version, **Sisters Day In** is delivered at Dame Phyllis Frost Centre and Tarrengower Prison.

Young Luv® is designed for young Aboriginal women, aged 13 to 18. It is a half day activity facilitated by Aboriginal women to engage Aboriginal teenagers in a culturally safe space where they can talk about, reflect on, and better understand important issues affecting their lives. This workshop aims to equip young women with information and skills to challenge unhealthy relationships, and to practise positive and safe behaviours. Young Luv workshops are delivered at host organisations, such as schools or community groups.

Dilly Bag is a residential on country gathering of Aboriginal women that draws from cultural principals to inform Aboriginal women's ways of being in order to live a culturally safe and meaningful life.