

## Minutes

VLAFF Prisoners Working Group

Meeting number: 4 of 4

<b>Date</b>	<b>Thursday 17 November 2016</b>	
<b>Time</b>	<b>10 am – 1 pm (lunch at 12)</b>	
<b>Location</b>	<b>Colin Biggers &amp; Paisley, Level 23, 181 William Street, Melbourne</b>	
<b>Attendance</b>	<p><b>Simon Roberts</b> Comm Unity Plus (Chair)</p> <p><b>Chelsea Candy</b> Victorian Aboriginal Legal Service</p> <p><b>Tara Skinner</b> Victoria Legal Aid</p> <p><b>Gregor Husper</b> Victoria Legal Aid</p> <p><b>Katia Lallo</b> Darebin Community Legal Centre</p> <p><b>Kaye Norris</b> Diversitat Community Program (representative for the Financial &amp; Consumer Rights Council)</p> <p><b>Bonnie Renou</b> Women's Legal Service Victoria</p> <p><b>Brendan Lacota</b> Moonee Valley Legal Service</p> <p><b>Daniel Nguyen</b> Prison's Legal Assistance Education Project (PLEA)</p> <p><b>Grace Krütsch</b> PLEA</p> <p><b>Courtney Hart</b> PLEA</p> <p><b>Marlene Dixon</b> Brimbank Melton Community Legal Centre</p>	
<b>Apologies</b>	<p><b>Lloyd Murphy</b> Com Unity Plus</p> <p><b>Helen Yandell</b> Mental Health Legal Centre</p> <p><b>Peter Gartlan</b> FCRC</p> <p><b>Michelle McDonnell</b> Federation of Community Legal Centres</p> <p><b>Cameron Lavery</b> Justice Connect, Homeless Law</p>	
<b>Item</b>		<b>Led by</b>
<b>1. Welcome and Acknowledgement of Country</b>		Chair
<b>2. Welcome new members and introductions</b>		Chair
<p><b>3. Minutes of previous meeting held on 19 May 2016</b></p> <p>CC - Issue where Migration is an issue for Aboriginal children – raised by an Aboriginal elder, so will report back.</p> <p>GH - Visa cancellations from Prison – VLA provide with a kit but there is space for a more intensive response. Would be preferable if lawyers were involved to represent. Allocation of resources and where they could have most impact.</p> <p>BL – RMG prohibits immigration legal assistance, unless you are a registered migration agent. Unless CLC lawyers become migration agents or this prohibition is changed, then CLCs can't advise on visa cancellation.</p> <p>DN - Plea provide presentation on visa cancellation at the moment in prisons – triaging staff – in all remand presentations. Highly administrative and document gathering so</p>		Chair

<p>could be more offline assistance – therefore kit approach is reasonable</p> <p>PWG Planning session at first meeting next year</p> <p>Gap in narrative to provide persuasive argument</p>	
<p><b>4. Victoria Legal Aid Prisoner’s Help Line</b></p> <ul style="list-style-type: none"> <li>• <b>Update and schedule for opening</b></li> <li>• <b>How current and future CLC services can intersect with Prisoner Legal Help.</b></li> <li>• <b>CLC MoUs for cross referral</b></li> </ul> <p>Prisoner legal issues are too broad for one CLC to take up, but could be spread across a number of centres.</p> <p>Federation – Australian Communities Foundation – application put in for prisoner help line. VALS can provide plenty of stories to feed in to this.</p> <p>Darebin in discussions around extending their outreach and interested to set up a practice and share referrals with VALS</p> <p>Healthcare for prisoners also of particular concern, needs to be kept on the agenda. Prisons taking away right to medications even for minor ailments as a form of punishment. Why are prisoners not able to access public health care? Not on Medicare</p> <p>NDIS and disability discrimination – NSW LAF have done some work around this – SR will follow up with the convenor of their Prisoners Forum with the possibility of working with them.</p> <p>NLAF - Joint funding submission, led by first peoples’ disability network</p> <p>Health and NDIS to be on agenda for next year Resources also a significant issue. SR will report this to VLAF</p> <hr/> <p>GH – PLH 3 staff have been recruited and hoping to open the line in February. Know what service model will look like - can call in from any yard phones, open from 9/9:30 or 10, through to about 3pm, Dame Phyllis, Loddon, MRC &amp; Barwon. There are 160 phones across the 4 prisons that could be used. Prisoners still only get their 12 minutes so may have issues getting through, but can only monitor this for now.</p> <p>Ombudsman have prisoners as a priority call. Health services commissioner has also reported that wait times/call abandonment haven’t been an issue but the capacity of legal help will be a lot larger.</p> <p>Not yet resolved on how interpreters will be incorporated given times required etc. but VC could be booked if need be.</p> <p>Preference for people with new legal matters coming through, not those trying to bypass/get through to their lawyer more quickly Very high proportion of prisoners on remand yet no one currently offering a through service</p>	<p>VLA</p> <p><b>Action</b></p>



<p>PLEA currently provide information in prisons but unable to record data and for referrals, onus on service providers to advise what they will/won't accept if able to take referrals at all, because need consistency</p> <p>PLH keen to set up MOUs with CLC around who can take what referrals – also encourage CLCs to start up their own practice so that specific referrals can be filtered through to them. Issue of funding for these services where CLCs aren't specifically funded to do the work.</p> <p>Federation work - EOI for CLCs wanting to start up a prisoner legal service to dovetail VLA setting up their service – NSW and QLD models Research tasks, grants etc. that relate to the Aboriginal Community could be referred through VALS to Mallesons</p>	
<p><b>5. Update on VALS work on prisoner complaints and conditions</b></p> <p>*See report under Scoping the Sector</p>	VALS
<p><b>6. Publishing minutes on VLAF website – agreement and process for endorsement after the meeting</b></p> <p>Circulation of minutes – 10 working days to comment before minutes published on website. Endorsed by group.</p>	Chair
<p><b>7. Report on regular meeting with Corrections</b></p> <p>Met with Brendon Money – still some clarity needed around reasons for meeting with corrections vs them coming to the PWG meeting</p> <p>Tim Kanoa from Corrections maybe a useful contact in the future.</p> <p>Meeting focussed on VLA and PLH line with concerns around document exchange and witnessing stat decs, affidavits, etc.</p> <p>Other issues:</p> <ul style="list-style-type: none"> <li>• OC spray trials – Corrections is not keen on discussing this.</li> <li>• Logistics of video conferencing and issues of seeing DL at court. Issues include: no opportunity for private conversations with Lawyers, issues of confidentiality, no time for follow up by lawyers.</li> <li>• Data and updating data, also what is released – corrections happy to take a list of what data the group may want/need. Corrections assured us there are teething problems and it will be worked out.</li> </ul> <p>The Criminal Bar Association may be following up on these issues.</p> <p>For future meetings: We need to ask Corrections about and local operating protocols in prisons including strip searches and use of dogs. Most local operating policies/procedures are FOI-able but they change regularly</p> <p>Problem solving with Corrections – engagement has been difficult. Corrections haven't been properly put on notice but needs to be raised at main forum – model won't work if Corrections aren't able to attend. VC need to agree to send to commissioner and other senior personnel. The Convenor will report on these issues at the Main Forum.</p>	<p>GH, SR, MMc</p> <p><b>Action</b></p>

<b>Other business</b>	
<b>8. Other business</b> Special acknowledgement of PLEA for the great job that they do. Congratulations!	
<b>Additional information</b>	
Next Prisoners Working Group meeting: TBC Location: TBC	