

LOTJPA INDEPENDENT LEGAL SERVICE

It is important to get legal advice if you want to say something to the Yoorrook Justice Commission that could impact you or your legal rights.

Talking to a lawyer at Lotjpa Independent Legal Service is confidential and free for First Peoples' participants.

The service is independent from the Yoorrook Justice Commission. The Victorian Aboriginal Legal Service (VALS) and Victoria Legal Aid (VLA) run this service.

Lotjpa can provide you with legal information and advice. They can also assist you with making a submission to Yoorrook about your experiences.

In certain cases, non-First Peoples may also be able to access free legal support to tell their story to Yoorrook.

What legal support is available to First Peoples who want to participate in Yoorrook's truth-telling processes?

All First Peoples who want to participate in Yoorrook's truth-telling activities can get free and independent legal assistance from the Lotjpa Independent Legal Service.

Non-First Peoples whose Yoorrook issue relates to a First Peoples' family member are also eligible for assistance.

There are no means tests, merit tests or Aboriginality tests to access Lotjpa's free legal support.

Lotjpa legal support is provided by Victoria Legal Aid (VLA) and the Victorian Aboriginal Legal Service (VALS). You can choose whether you want a lawyer from VLA or VALS.

What legal issues can Lotjpa lawyers help with?

If someone participating in Yoorrook wants to say something that could affect their legal rights, it is important to get legal assistance.

Lotjpa lawyers can help with a wide range of legal issues. For example:

- You have questions about your legal rights and protections if you share your story;
- You want to keep your name or story private;
- You want to talk about a current or past court case;

- You have agreed with a person or an organisation not to talk about your story (e.g. because you received settlement money as a result of what happened to you);
- Your story deals with something that is against the law or could lead to criminal charges against you or somebody else;
- You want to name or criticise a person or organisation in your story;
- Your story involves a government official hurting you or treating you badly or hurting or treating someone else badly. Government officials can be police, PSOs, prison staff, health workers or welfare workers;
- Your story involves something which happened to you during your employment, or which you learned of through your employment;
- You have already told parts of your story to another court, tribunal, royal commission or parliamentary inquiry;
- You are worried about someone treating you badly if you share your story. For example, a government agency, your work, school or a service that helps you.

Lotjpa can provide you with legal information and advice. They can also help you prepare a submission to Yoorrook or provide you with assistance if you are invited to give evidence at a hearing.

Can I choose a lawyer who is not from Lotjpa or associated with VLA or VALS?

Yoorrook only offers free legal support through the Lotjpa Independent Legal Service, run by VALS and VLA. You are welcome to get legal advice or seek legal representation that is not provided by Lotjpa to help you participate in Yoorrook's processes, however you would need to organise and pay for the lawyer yourself or arrange to get pro bono (free) help from them.

In some circumstances, Lotjpa may be able to help you organise alternative legal support if you do not want to be assisted by either VALS or VLA.

Yoorrook also has Truth Receivers who can help you to make a submission, though they cannot give you legal advice.

What legal support is available to non-First Peoples who want to participate in Yoorrook's truth-telling processes?

In some cases, non-First Peoples may be able to access free and independent legal support, including to prepare submissions or participate in a hearing:

Lotjpa can assist non-First Peoples whose Yoorrook issue relates to a First Peoples' family member.

The Human Rights Law Centre can assist non-First Peoples whose Yoorrook issue relates to conflicting confidentiality obligations due to past or ongoing employment.

There may be other circumstances in which free legal support can be arranged for you. Please contact Lotjpa or Yoorrook directly to discuss your options.

I have my own lawyer already. Will Yoorrook pay them to give me legal advice, help me make a submission or appear as a witness at a Yoorrook hearing?

All Yoorrook's free legal support is provided by the Lotjpa Independent Legal Service. Yoorrook is unable to pay for external lawyers or legal support. You are welcome to access external legal support at your own expense or by organising pro bono (free) legal help.

Is Lotjpa independent of Yoorrook?

Lotjpa is completely independent of Yoorrook. It is a free and independent legal service run by VALS and VLA.

Lotjpa has dedicated lawyers (at both VALS and VLA) to assist First Peoples who want to participate in Yoorrook's truth-telling activities.

Any advice and assistance provided by Lotjpa lawyers is completely confidential. Lotjpa will not share any records with Yoorrook, except with your permission.

I am interested in giving evidence to Yoorrook but am concerned about conflicting confidentiality obligations due to my past or ongoing employment. Where can I get legal support?

The Human Rights Law Centre has a dedicated whistleblowing legal project that may be able to help individuals with conflicting confidentiality obligations due to past or ongoing employment and who wish to give evidence to Yoorrook. This evidence may be a submission or evidence at a hearing or other truth-telling forum.

The Human Rights Law Centre can be contacted directly by non-First Peoples seeking whistleblowing-related legal assistance. First Peoples should contact Lotjpa first, who will work in partnership with the Human Rights Law Centre where necessary.

I have been asked to appear as a witness at a Yoorrook hearing. I would like to have legal counsel representing me. Where can I get support?

First Peoples' participants can access pro bono (free) legal representation at Yoorrook hearings through Lotjpa.

In some cases, non-First Peoples may be able to access pro bono (free) legal representation at Yoorrook hearings. Please contact Lotjpa or Yoorrook directly to discuss your options.

Contact details:

Lotjpa (Victoria Legal Aid) contact details:

Phone: (03) 8610 9830 (open from 10 am to 5 pm, Monday – Thursday)

Email: lotjpa@vla.vic.gov.au

Lotjpa (Victorian Aboriginal Legal Service) contact details:

Phone: (03) 9418 5999 (open from 9 am to 5 pm, Monday – Friday)

Email: lotjpa@vals.org.au

Human Rights Law Centre contact details:

Email: kieran.pender@hrlc.org.au