

Presentation to the CALRA Conference – Malta April 2025

Consultation for Law Reform
How to Reach Difficult to Reach Consultees

The Hon. Anthony North KC, Chair
Victorian Law Reform Commission

VLRC Reference Manual 2025

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Identifying and approaching stakeholders

Peak bodies

- 3.20 One initial method of reaching individual stakeholders may be to approach the sector peak body if there is one. Alternatively, the Victorian Council of Social Service (VCOSS) acts as the umbrella peak body for the not-for-profit community sector and may be able to act as a referral point. Other peak bodies such as the Federation of Community Legal Centres (FCLC) can be a good starting point.

First Nations/Victorian Koori communities

- 3.21 The Commission seeks to engage with First Nations communities in relation to all our work. In doing this the Commission has regard to the priorities and resource capacity of First nations organisations. Where possible, the Commission is guided by advice from peak organisations on appropriate contacts and consultation strategies.
- 3.22 A number of Koori agencies have had ongoing contact with the Commission. These include the:
- Victorian Aboriginal Community Services Association Ltd (VACSAL)⁷
 - Victorian Aboriginal Legal Services (VALS)⁸
 - Victorian Aboriginal Justice Caucus
 - Djirra (formerly Aboriginal Family Violence Prevention & Legal Service Victoria)⁹
 - Victorian Aboriginal Childcare Agency (VACCA)¹⁰
 - Victorian Aboriginal Community Controlled Health Organisation Inc. (VACCHO)¹¹
 - Victorian Aboriginal Health Service (VAHS)¹²
- 3.23 To make initial contact with Koori agencies and ensure that the Commission's work is 'joined-up' to other government work in this area, the following can be contacted:
- Koori Justice Unit (KJU), Department of Justice and Community Safety (DJCS)
 - Aboriginal Victoria, Department of Premier and Cabinet.¹³
- 3.24 If a reference is relevant to Koori youth, good contacts are Victoria's Commissioner for Aboriginal Children and Young People¹⁴ and the Koori Youth Council.¹⁵

⁷ Victorian Aboriginal Community Services Association Ltd <<http://www.vacsal.org.au/>>.

⁸ Victorian Aboriginal Legal Service <<http://vals.org.au/>>.

⁹ Djirra <<https://djirra.org.au/>>.

¹⁰ Victorian Aboriginal Childcare Agency <<http://www.vacca.org/>>.

¹¹ Victorian Aboriginal Community Controlled Health Organisation Inc. <<http://www.vaccho.org.au/>>.

¹² Victorian Aboriginal Health Service <<http://www.vahs.org.au/>>.

¹³ Aboriginal Victoria <<https://w.www.vic.gov.au/aboriginalvictoria.html>>.

¹⁴ See information about the Commissioner on the Commission for Children and Young People's website:

<<https://ccyp.vic.gov.au/about-the-commission/our-commissioners/>>

3.25 Another way of engaging with the Koori community may be to link into existing networks and services, such as the many networks of the VAHS. In rural and regional areas, contacting the local Regional Aboriginal Justice Advisory Committee (RAJAC) in the first instance may provide local contact points. The Koori Justice Unit can assist with contact details for RAJACs or the contact details of the Executive Officer for each RAJAC can be found on the Aboriginal Victoria website.¹⁶ Most agencies listed above will be represented on the local RAJAC if they provide a regional service. Other good starting points are the regionally based Aboriginal co-operatives —for example, Rumbalara in Hume.

Culturally and linguistically diverse (CALD) communities

3.26 CALD communities feature in a number of the Commission’s references. CALD communities include newly arrived communities and more settled communities. Religious and belief organisations may also be associated with CALD communities.

3.27 While CALD communities do not have one peak body, the Victorian Multicultural Commission,¹⁷ the Asylum Seeker Resource Centre¹⁸ (ASRC) and the network of Migrant Resource Centres can be useful starting points for contact in metropolitan Melbourne and, to some extent, regional areas.

3.28 In 2022, the Victorian Government announced it would establish a Multicultural and Multifaith Law Reform Consultative Committee. It said the committee would include ‘legal experts, community and faith leaders’. This Committee will be a useful contact.

3.29 Engaging with CALD communities can often be time and resource intensive, requiring specific skills and established contacts. For these reasons, the Commission may engage a consultant to seek the views of CALD groups. Consultants have undertaken both devolved consultations (eg Child Protection) and facilitated consultations (eg Family Violence) on behalf of the Commission.

3.30 Access to interpreting and translating services is discussed later in this chapter.

Aged/elderly people

3.31 Elderly people are a core community consulted by the Commission. The Victorian Government website, Seniors Online, provides information about government and advocacy services for people over 60 years of age.¹⁹ Victoria has a Commissioner for Senior Victorians²⁰ and there is a federal Aged Care Quality and Safety Commissioner.²¹ The federal Department of Health and the Victorian

¹⁶ Koori Youth Council <<https://korieyouthcouncil.org.au/aboutus/our-story/>>.

¹⁷ Regional Aboriginal Justice Advisory Committees <<https://www.aboriginaljustice.vic.gov.au/regional-aboriginal-justice-advisory-committees>>.

¹⁸ The Victorian Multicultural Commission <<https://www.multiculturalcommission.vic.gov.au/>>.

¹⁹ Asylum Seeker Resource Centre <<http://www.asrc.org.au/>>.

²⁰ Seniors Online Victoria <<https://www.seniorsonline.vic.gov.au>>.

²¹ Commissioner for Senior Victorians <<https://www.seniorsonline.vic.gov.au/services-information/commissioner-for-senior-victorians>>.

²² Aged Care Quality and Safety Commission <<https://www.agedcarequality.gov.au/>>.

Jarvis Atkinson



Submission - Jarvis Atkinson -
Yoorrook Justice Commission

SOCIAL AND EMOTIONAL WELLBEING SUPPORTS

Yoorrook acknowledges the importance of using the strengths, resilience and connectedness of First Peoples and communities to provide a safe, supportive and culturally appropriate forum for First Peoples to exercise their right to truth and justice with dignity and to demonstrate their cultural resilience and survival.

OUR APPROACH

Yoorrook's Social and Emotional Wellbeing supports reflect a holistic view of First Peoples' wellbeing, encompassing connection to family, kin, Country, culture, community and ancestors. We do this by:

- **Supporting self-determination:** We will support you to choose the supports, and healing and wellbeing approaches that you want to access and use. We will also prioritise healing and wellbeing approaches that are designed and delivered by First Peoples.
- **Embedding protective factors:** Connection to culture, family, community and Country are built into all approaches across Yoorrook. At your direction, we will support and build on your existing strengths and connections to keep you safe and strong.
- **Supporting healing and trauma recovery:** Our supports recognise the importance of traditional and contemporary healing and wellbeing approaches in recovery from trauma, grief and loss.
- **Ensuring culturally capable supports:** Our supports and processes embed cultural perspectives and respect the rights, views and expectations of you, your family, kin and community. Our team will work to ensure your supports are as integrated and seamless as possible.
- **Taking a person-centred approach:** Our supports are designed around your needs and expectations.

OUR TEAM

Yoorrook has a multidisciplinary community engagement and social and emotional wellbeing team, including trusted community members. Free and confidential counselling and wellbeing services are also available through First Peoples' Health and Wellbeing.

Our team members are available to:

- **Explain** the truth-telling process and the types of supports available to you.
- **Yarn** with you about your circumstances and connect you to the supports you want.
- Help you **prepare** for the truth-telling process and make sure your specific personal and cultural **needs** are met, so that you feel safe, supported and connected.
- **Provide information** and preparation to those that you have chosen to support you throughout the process, such as family, kin or a support worker.
- **Connect** you to any other materials and supports you want (either within or outside of Yoorrook) so that you feel strong and safe throughout your truth-telling journey.
- **Be available** for pre-truth-telling support, and debriefing following your truth-telling.
- **Share** with you culturally safe techniques to keep your mind and body connected during truth-telling (like mindfulness, grounding and movement).
- **Provide** more specific therapeutic engagement and supports (like free, confidential counselling) through First Peoples' Health and Wellbeing, or referrals to appropriate health professionals, if you want.

YOUR SUPPORTS

Supports, and healing and wellbeing approaches will be designed around your needs and expectations. Examples of some supports are:



YOUR JOURNEY



First Yarn

This is the first time you have contact with Yoorrook. We'll tell you a bit about Yoorrook's work and the different ways to record your truth.

We'll also direct you to the information you need to make an informed decision about whether you'd like to participate in Yoorrook's truth-telling process. This includes information about issues you need to be aware of and the supports available.

If you choose, we can arrange a time for a proper catch up.

Proper Catch Up

At the proper catch up, a member of our community engagement team will take you through the process for telling your truth and talk you through all the information you need to inform your participation.

We will work with you to identify any specific supports you might need, including cultural, family, community, legal, therapeutic and personal supports.

Self-determination is at the heart of Yoorrook's work. This means that it will be your choice about what connections and supports you need in place to tell your truth in a safe way.



Connecting your supports

Our community engagement and social and emotional wellbeing team will take the time to get the connections and supports you have chosen in place. It might include providing information to your existing supports (like family, or a support worker), or connecting you to supports outside of Yoorrook, like Lotjpa Independent Legal Service (a free, independent legal service), or the support of a counsellor through First Peoples' Health and Wellbeing.



Recording your truth

Once all of your connections and supports are in place, it is time to tell your truth. We will provide you with specific information about this process, depending on how you choose to tell your truth. Members from our social and emotional wellbeing team will be available to yarn before you tell your truth. They can help with techniques to keep your mind and body connected during the process.



Checking in (on the day)

Members from our social and emotional wellbeing team will check in on you and your support people after you have recorded your truth to debrief and make sure that you all feel safe, supported and connected.



If needed, we will work to connect you with any further supports you might need, including cultural, family, community, legal, therapeutic and personal supports.

Checking in (down the track)

For some people, telling your truth may have impacts over time.

With your consent, our social and emotional wellbeing team will continue to check in on you periodically and make sure you feel safe, supported and connected.



The team will continue to work with you to identify and connect you with any specific supports you might need, including cultural, family, community, legal, therapeutic and personal supports.

Yoorrook staff may also make contact for other reasons, like inviting you to a Yoorrook event.

INTERIM REPORT VOLUME 1



Royal Commission
into Institutional Responses
to Child Sexual Abuse



2.1 PRIVATE SESSIONS AND WRITTEN ACCOUNTS

Bearing witness to the personal experiences of those affected by child sexual abuse in institutions is central to our work.

When (then) Prime Minister Julia Gillard announced the Royal Commission, she said:

- › '[W]e are able to say we want your voices to be heard. Even if you felt for all of your life that no one's listened to you, that no one has taken you seriously, that no one has really cared, the Royal Commission is an opportunity for your voice to be heard.'¹

Our terms of reference require:

- › 'that those affected by child sexual abuse can share their experiences to assist with healing and to inform the development of strategies and reforms that your inquiry will seek to identify.'²

We are:

- hearing directly from those affected through private sessions and written accounts
- taking great care to support survivors who share their story
- learning invaluable lessons from people's experiences.

HEARING PEOPLE'S STORIES

Private sessions give survivors a confidential setting to speak in

Private sessions allow survivors, or people who are aware of the abuse of another, to speak privately with one of our Commissioners.³ This means people can tell their stories to someone in a position of authority without the trauma of giving evidence in public.

Private sessions are unique to our Royal Commission and required a specific amendment to the *Royal Commissions Act 1902* (Cth) in March 2013.⁴ When the (then) Attorney-General introduced the amendment Bill, he noted that:

- › '[a] traditional royal commission hearing setting will not generally serve as the best way to facilitate participation in the royal commission by those people affected by child sexual abuse.'⁵

Private sessions are not a formal hearing. Individuals can share their stories with one of our Commissioners. Some people who have attended a private session may go on to give evidence at a public hearing.

Private sessions have been held around the country

Private sessions help us to better understand the impacts of the abuse and of any institutional response on participants over their lifetimes. The sessions also give participants the chance to suggest systemic changes to better protect children in

we may inform law enforcement agencies. We may also publish information in our reports as long as we de-identify it first.¹³

LEARNING FROM PERSONAL STORIES

Information from private sessions gives us insight into abuse

We acknowledge the courage of the people who have taken part in a private session or sent in a written account to share their experiences. Each of these people have made an important contribution to the work of the Royal Commission and given us a better understanding of the nature and profound impact of child sexual abuse in institutional settings.

We have analysed information collected from private sessions held between 7 May 2013 and 30 April 2014. This gives us insight into the experiences of survivors and institutional responses. However, being voluntarily reported, the information is not necessarily representative of all those affected by child sexual abuse in institutions. For more about this information, please see Appendix C.

The majority of private sessions were held with survivors. Other private sessions were with family members, friends or whistleblowers who were aware of abuse that happened to someone else. We also heard from a number of people who reported abuse suffered by a person who had since died, including as a result of suicide. Where the participant was reporting abuse suffered by someone else, we collected information about the victim and not the participant.

Area	Data
Survivors	Two in three survivors were male and one in three were female. The current age of survivors averaged 55 years. Most were over 50 years old. Almost 70 per cent reported being eight years old or over, although some were unsure of their exact age, when the abuse started. On average, females were 9.5 years old and males were 10.3 years old when the abuse began.
Institutions	Many survivors reported abuse in industrial schools, training schools, reformatories, orphanages and children's homes. Educational institutions were also commonly reported sites of abuse. Most of these were faith-based institutions, followed by government institutions. Of the faith-based institutions, 68 per cent were Catholic and 12 per cent were Anglican.

Uncle Johnny Lovett



Elders' Hearing - Uncle Johnny Lovett - Day 2 - Yoorrook Justice Commission

Authorised Version



**Inquiries Amendment (Yoorrook
Justice Commission Records and Other
Matters) Act 2025[†]**

No. 4 of 2025

[Assented to 25 February 2025]

The Parliament of Victoria enacts:

Part 1—Preliminary

1 Purposes

The purposes of this Act are—

- (a) to amend the **Inquiries Act 2014**—
 - (i) to provide for the Yoorrook Justice Commission to make orders to close or restrict access to certain records once the Commission ceases to exist; and

Authorised by the Chief Parliamentary Counsel

4 New Division 14 of Part 2 inserted

After Division 13 of Part 2 of the Inquiries
Act 2014 insert—

**"Division 14—Yoorrook Justice
Commission record orders**

52A Definitions

In this Division—

author, of a specified record that is subject
to a Yoorrook Justice Commission
record order, means any person who is
specified in the order as an author of
the record;

specified period means the period of
99 years beginning on the day on which
a record is transferred to the
Department of Premier and Cabinet
under section 124;

specified record means a record containing
evidence given to the Yoorrook Justice
Commission by a natural person who is
an Aboriginal person, and includes, but
is not limited to—

- (a) a transcript of evidence; and
- (b) a witness statement or submission;
and
- (c) an audio or audio visual recording
of evidence.

**52B Yoorrook Justice Commission may make
record closure order**

The Yoorrook Justice Commission may
make an order in respect of a specified
record requiring the Keeper of Public
Records and the Secretary to ensure that, for

the specified period, the record is not made available for public inspection.

52C Yoorrook Justice Commission may make record restriction order

- (1) The Yoorrook Justice Commission may make an order in respect of a specified record requiring the Keeper of Public Records and the Secretary to ensure that, for the specified period, the record is made available for public inspection only in accordance with the terms and conditions specified in the order.
- (2) Without limiting subsection (1), a Yoorrook Justice Commission record restriction order may require any one or more of the following—
 - (a) the Keeper of Public Records to ensure that a member of the public may only inspect the record at the Public Record Office;
 - (b) the Keeper of Public Records must take reasonable steps to prevent a member of the public from making a copy of the record or photographing the record while inspecting it in person at the Public Record Office;
 - (c) the Secretary must not give a member of the public a copy of the record;
 - (d) the Keeper of Public Records must not give a member of the public a copy of the record;
 - (e) the Secretary to ensure that a person employed in the Department of Premier and Cabinet under Part 3 of the **Public Administration Act 2004** does not

Thank you