

MEDIA RELEASE

WOOR-DUNGIN WELCOMES PARLIAMENTARY COMMITTEE VISIT TO GUNDITJMARA COUNTRY TO LEARN ABOUT THE IMPACT OF CRIMINAL RECORD DISCRIMINATION

The Victorian Parliament's Legal and Social Affairs Committee is holding an inquiry, chaired by Fiona Patten MP, into the need for a spent convictions scheme in Victoria. The Committee has been specifically tasked with inquiring into the impacts of criminal record discrimination on Aboriginal people.

Members of Woor-Dungin's Criminal Record Discrimination Project appeared before the Committee in Melbourne on 1 July 2019 to speak about their recommendations for reform, as set out in their submission to the Aboriginal Justice Forum.

The Project's Stan Winford and Christa Momot spoke about the substantial consultation undertaken with the Aboriginal community to develop the submission. Uncle Larry Walsh, Wenzel Carter and Naomi Murphy gave the Committee powerful evidence of their own experiences of discrimination, stigmatisation and exclusion as Aboriginal people with criminal records.

Woor-Dungin is pleased that the Committee has also accepted an invitation from Michael Bell, Convenor of the Woor-Dungin Criminal Record Discrimination Project Advisory Committee and CEO of Winda-Mara Aboriginal Corporation, to travel to Heywood in southwest Victoria to learn more about the issue on country.

Michael Bell said: "Woor-Dungin and its partners want the Government to establish a spent convictions scheme and equal opportunity laws to ensure that old and irrelevant criminal history is not used unfairly against job seekers in Victoria. These are critical and long overdue reforms. Employment is a self-determining factor in empowering Aboriginal people to grow and be resilient."

"We are really pleased that the Committee has agreed to visit us at Winda-Mara on 6 August 2019. We hope that by visiting us on country and hearing from community, members of this Committee will gain a greater understanding of how these laws are holding Aboriginal people back, and recognise the urgent need to bring about a fairer system for all Victorians."

"A legislated spent convictions scheme, and protection against discrimination in relation to irrelevant criminal history are desperately needed."

Michael Bell and others are available for interview.

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Background

Woor-Dungin has conducted research that shows that Victoria Police conducts almost 700,000 criminal record checks annually, and that this level of record checking has grown at alarming rates in recent years. Aboriginal Victorians continue to experience unnecessary stigma, social exclusion and harm as a result of the unregulated disclosure of, and inappropriate reliance on, old and irrelevant criminal history.

Woor-Dungin's research shows that this process remains unregulated in Victoria, and legislative protection is needed to ensure that old and irrelevant criminal history is not used to inappropriately exclude Aboriginal people from employment and other opportunities.

Victoria's failure to regulate criminal history makes it the only Australian state or territory that doesn't have a legislated spent convictions scheme.

Currently, criminal record information is released at the complete discretion of Victoria Police. This creates significant uncertainty for Aboriginal community members and limits their job prospects, ability to be kinship carers and to engage with their communities.

The Aboriginal Justice Forum was set up under the Aboriginal Justice Agreement to provide a way for Aboriginal Victorians to identify issues and priorities that need to be addressed, and for government to address them. The Criminal Record Discrimination Project involved extensive consultation with Aboriginal people and organisations over three years and resulted in the Aboriginal Justice Forum unanimously supporting the Project's call for the Victorian Government to:

1. implement a legislated spent convictions scheme so people will not be required to disclose old and irrelevant criminal history when applying for jobs and other roles
2. implement equal opportunity laws to ensure that old and irrelevant criminal history is not used unfairly against job seekers

The submission was endorsed by over 60 Aboriginal community-controlled organisations, individuals, legal and non-legal groups.

The Criminal Record Discrimination Project is supported by RMIT University and its Centre for Innovative Justice.

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