



## Law Matters

**Aboriginal Legal Service of Western Australia (Inc)**

**SPRING/SUMMER 2013**

### Seasons Greetings from the Aboriginal Legal Service of WA

As another year draws to a close, I would like to take this opportunity to thank our Management and Staff for their wonderful efforts throughout 2013.

The Aboriginal Legal Service of WA (ALSWA) is proud of its dynamic team who work tirelessly in often complex and highly sensitive roles to ensure that our quality and Culturally welcoming service continues to be available for Aboriginal and Torres Strait Islander peoples in WA.

To our Executive Committee members, thank you all for your invaluable input into this organisation for it is your expertise and efforts that ensures that ALSWA's work is in the best interests of our diverse Communities across the state.

To you all, and our Community members and supporters, we wish you a very happy and prosperous Christmas and every good wish for 2014.

*In Unity...Dennis Eggington CEO*



*Merry Christmas  
from the Aboriginal Legal Service of WA*

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**We wish you a safe and happy Christmas and New Year**

**Aboriginal Legal Service of Western Australia offices**

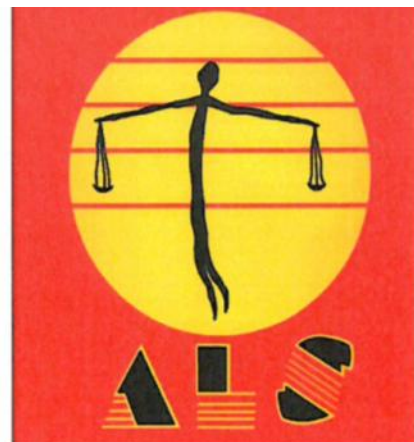
**will be CLOSED on Monday 23rd December 2013**

**and will RE-OPEN on Monday 6th January 2014**

**For URGENT Criminal matters during this Christmas and New Year  
closure please phone our After Hours number 08 9265 6644**

Invitation to attend ALSWA's 2013 Annual General Meeting

**ABORIGINAL LEGAL  
SERVICE OF WA (Inc)**  
**Annual General Meeting**



**DATE**  
**FRIDAY**

6th December 2013

**TIME**

**3.00 PM**

**WHERE**

ABORIGINAL LEGAL  
SERVICE OF WA  
7 ABERDEEN STREET  
PERTH

*Next to McIver Railway Station*

**ENQUIRIES TO**

LYNETTE TEH AT ALSWA

PH 08 9265 6666

FREECALL 1800 019 900

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The  
**Annual General  
Meeting**  
of the  
**Aboriginal Legal  
Service of WA (Inc)**

will be held in Perth on

**Friday 6th December 2013 at 3.00 pm**

*MEMBERSHIP FORMS*

*are available at ALSWA offices and will be  
available at the meeting venue*

**AFTERNOON TEA WILL BE SERVED**

### Meet our new Perth Receptionist

ALSWA welcomes Delaney Clinch, our new Perth Head Office receptionist.

Delaney, a Noongar woman, started with ALSWA in October 2013 and is enjoying her new role with the legal service.

"I think it's good for a Noongar (based) organisation to have a lot of Noongar faces

working for them and it's also important for my kids to have better and more equal opportunities in life so they can give more back to the Community" said Delaney.

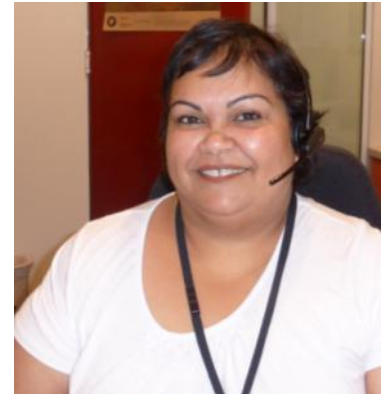
Born in Perth, but growing up in Sydney, Delaney is looking forward to her ongoing work with ALSWA.

Head Office is

incredibly busy with over sixty staff members and many clients and other visitors ensuring that there is always plenty going on.

It's a great place to work, and when she's not running the switchboard in Perth, Delaney enjoys reading, drawing and going fishing.

ALSWA welcomes Delaney to the team.



*Delaney Clinch*

### ALSWA Supports Findings of 'In Safe Custody' Report

An Inquiry into custodial arrangements in police lock-up has validated concerns held by ALSWA for many years. "We endorse the findings of the *"In Safe Custody"* report and hope that these recommendations and those from the Royal Commission into Aboriginal Deaths in Custody will be

implemented once and for all. It's unacceptable 30 years on from the tragic Roebourne death of young John Pat, that questions are still being raised as to one's safety in a WA lock-up" said ALSWA CEO Dennis Eggington. ALSWA's submission to the Community Development and

Justice Standing Committee was cited heavily in the report and the state's peak Aboriginal legal service provider hopes this report is finally the document that signals change in addressing the urgency of this situation.

**View the Report at:**  
[www.parliament.wa.gov.au/cdjsc](http://www.parliament.wa.gov.au/cdjsc)

**WE HOPE THIS REPORT IS FINALLY THE DOCUMENT THAT SIGNALS CHANGE IN ADDRESSING THE URGENCY OF THIS SITUATION**

### Move-On Notices Targeting Aboriginal People

Move-on Laws were introduced back in 2006 and ALSWA has always been concerned that Aboriginal people would be targeted with this legislation and subsequently banned from areas for up to 24 hours.

Now, the latest rising figures indicate that 40 percent of all notices were issued to Aboriginal people and in many cases, this saw individual people receiving numerous move-on notices, sometimes well into the

hundreds.

"We're seeing many cases where the same person is issued with multiple notices, with the homeless and already vulnerable frequently targeted" said ALSWA CEO Dennis Eggington.

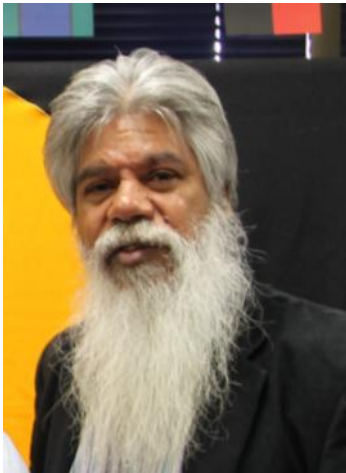
"It is so disheartening to witness that this legislation has become yet another tool to target our people" said Mr. Eggington.

***If you want to know more about Move-On Notices, see page 7***

## Law Matters

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### Law Matters - legal talk on our airwaves



Associate Professor Ted Wilkes

Don't miss the final Law Matters radio program for 2013, when ALSWA CEO Dennis Eggington looks back over 2013 - the year that was.

Joining the discussion will be Associate Professor Ted Wilkes, talking about the positive benefits of Justice Reinvestment.

Since commencing broadcast in 2010, the Aboriginal Legal Service of WA has produced and presented over fifty Law Matters programs on 6NME Noongar Digital Radio 100.9 FM in Perth.

Law Matters, presented by ALSWA Media Officer Jodi Hoffmann is

broadcast fortnightly on Wednesdays between 11am and 12 noon and is repeated on Sunday nights at 9.00 pm.

The final program for 2013 will go to air on 18th December 2013, before the program goes into recess over the Christmas/New Year period, returning in February 2014.

## TUNE INTO LAW MATTERS

*Produced and presented by the Aboriginal Legal Service of WA*

**on 6NME Noongar Radio 100.9FM**

**Fortnightly on Wednesdays 11am to 12 noon**

*(repeated Sunday nights)*

***Final Law Matters program for the year on 18th December 2013***

***ALSWA will return to the airwaves in February 2014***



**Wishing our listeners a very Merry Christmas  
and every good wish for the coming year**



### Good Luck Jolene

ALSWA wishes Jolene Farrell all the very best for the future.

Jolene joined the ALSWA team in 2010 and has held the role of Head Office receptionist.

Jolene will be greatly missed by her friends at ALSWA but we know she will be a welcomed addition in her new role within the mining industry.

Jolene is pictured here (in blue) with ALSWA's Helen McCartney, Melissa Langley and Tarah Phillips.



### ALSWA Regional Managing Solicitors in Perth

To ensure that ALSWA continually provides the best possible service for our clients, ALSWA staff are kept up to date with operational matters at staff conferences, in-house training and

through professional development workshops.

In November, Managing Solicitors from ALSWA's regional offices attended a three

day refresher workshop at ALSWA's Head Office in Perth covering administrative, Human Resources, media and Information Technology procedures.



*Some of ALSWA's Regional Managing Lawyers pictured in Perth*

*Front Row: Eva Svanberg (Geraldton), Rosalind Russell-Smith (South Hedland), Michelle Huber (Bunbury)*

*Back Row L-R Greg Wildie (Kalgoorlie), Ben White (Broome), Glen Dooley (Kununurra), Russell Reading (Carnarvon)*

### Survival in Perth 26 January 2014

NAIDOC Perth will present the Perth Survival event, to be held on Sunday 26th January 2014. This is a significant date on our calendar because for many, this date symbolises our invasion. It was on January 26, 1788 when Captain Arthur Phillip took possession of the colony of New South Wales and raised the British flag for the first time in Sydney Cove. The Survival events that take place around the country bring our people together in unity as we celebrate our achievements, diversity, Culture and our survival.

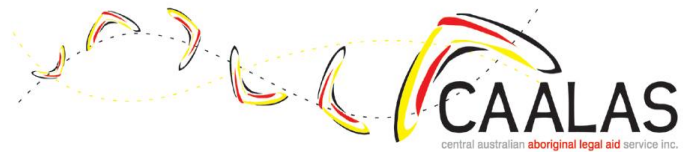
**More information can be found on the NAIDOC Perth website at [www.naidocperth.org](http://www.naidocperth.org)**

### National Indigenous Legal Conference Ball



The 8th Annual National Indigenous Legal Conference and Ball, hosted by the Central Australian Aboriginal Legal Aid Service (CAALAS), was held recently in Alice Springs

This annual event, also coincided with the 40th birthday of CAALAS, and ALSWA congratulates CAALAS on this incredible milestone and their many achievements.



ALSWA Court Officers Suzanna Randall (Geraldton) and Sandra Collard (Newman) are pictured at the Ball with Senator Nova Peris, Australia's first Indigenous female to be elected to the Federal Parliament.

If you haven't already seen it, go online and read Nova's moving Maiden Speech that she delivered on 13th November 2013.

**For a Full report and photos from the Conference and Ball, go to :**

**<http://caalas.allens.com.au/>**

### Tranby Aboriginal College students visit ALSWA

ALSWA was thrilled to host a luncheon for students and staff from Tranby Aboriginal College in Sydney earlier this year. The group were in Perth visiting various organisations as part of their studies.

"It's wonderful to share time with our brothers and sisters from around the country and our own staff thoroughly enjoyed the gathering and the opportunity to chat with the students about our work and their studies" said ALSWA CEO Dennis Eggington.



### ALSWA Court Officer Wins National Award

ALSWA congratulates Dennis 'Sorgi' Eggington, the 2012 (Male) recipient of the Trevor Christian Memorial Award. This Award was initiated by the Commonwealth Attorney-General's Department in 2008 to recognise the outstanding contribution made by an individual Aboriginal and Torres Strait Islander Legal Services (ATSILS) staff member.

With both Koori and Nyungar Cultural ties, 'Sorgi' (a nickname) commenced his career with ALSWA as a 17 year old trainee in 1998 before being employed by ALSWA in 1999, since which time he has worked in a variety of administrative and court duty roles. He is a proud father who joined the Court Officer Unit as a fully trained Officer in 2007 and by 2009 had advanced to Senior Court Officer, at

many times running the bulk of the unit's load. Court Officers, all Aboriginal, represent Aboriginal and Torres Strait Islander peoples in the Court of Petty Sessions and the Children's Court. Their authority to appear in court is comes from a Certificate granted under a Section 48 of the Aboriginal Affairs Planning Authority Act 1972 (WA).

Sorgi's story and journey so far is one that is inspirational to other young Aboriginal people. To have completed his schooling and embarked upon a continually evolving and changing career path with ALSWA clearly indicates that he is a driven and hard working young man whose work is motivated by the benefits for his people.



Above: ALSWA's Dennis 'Sorgi' Eggington

*ALSWA acknowledges the support of the Commonwealth Attorney-General's Department in establishing this Award and congratulates the 2012 (Female) recipient Lynnette Kilby NSW/ACT ALS*

### What is a Move-On Notice

If you are in a public place (including on buses and trains) and police reasonably suspect you are committing an offence, you're about to commit one, or you're breaching the peace, they can give you a move-on notice ordering you to leave a particular area for up to 24 hours.

If you've been given a move-on notice, it's an offence to not leave the area.

If you're under 18, police can also take you to a 'safe place' if you're not at home and they believe your well-being is threatened or that you're out of school.

### \*ALSWA CONGRATULATES DERBARL YERRIGAN ON THEIR 40TH BIRTHDAY\*

Derbarl Yerrigan Health Service Inc.

156 Wittenoom Street  
East Perth, WA  
Phone (08) 9421 3888  
Fax (08) 9421 3884

*Kaya, ngany djoorabiny noonook djinanginy*

## Law Matters

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### Royal Commission into Institutional Responses

#### to Child Sexual Abuse - ALSWA's December Seminar

*Community members seeking more information about the*

*Royal Commission into Institutional Responses to Child Sexual Assault*

*can also phone the Aboriginal Legal Service of WA Civil/Human Rights Unit*

**WA Freecall**

**1800 019 900**

Each month, ALSWA hosts a free seminar to provide legal information to both community members and organisations on a range of topics.

Our next monthly seminar focuses on the Royal Commission into Institutional Responses to Child Sexual Abuse and features guest speaker, Commissioner Helen Milroy.

The Commissioner will discuss the role and functions of the Royal Commission and talk about how people can become involved in the process, if they choose to. This Seminar will be held on:

**Friday**

**6th December 2013**

**1.30 pm to 3.00 pm**

**at**

**250 St. Georges Tce  
Perth**

**QV1 Building**

**Level 37**

*For catering purposes please RSVP to ALSWA's Betty Campbell on 08 9265 6666*

**BROOME AND  
KALGOORLIE  
ALSWA OFFICES NOW  
PROVIDING FAMILY  
LAW SERVICES  
INCLUDING  
CHILD PROTECTION  
PARENTING ORDERS  
RECOVERY ORDERS  
AND OTHER LIMITED  
FAMILY LAW MATTERS**

**BROOME ALSWA  
PH 9192 1845  
FREECALL 1800 351 067  
KALGOORLIE ALSWA  
PH 9021 3666  
FREECALL 1800 016 791**

### Family Law Services Extend to Kalgoorlie and Broome

Up until recently, ALSWA's Family Law Unit was based solely at ALSWA's Head Office in Perth.

Now, both Broome and Kalgoorlie have an ALSWA Family Law lawyer on board which ensures that more support and assistance can be provided in this important area.

Gibbons works out of ALSWA in Broome. If you require assistance in Family Law, please phone the relevant office for more information. *For Family Law Matters in Perth phone 08 9265 6666.*



*Miriam Kelly (Kalgoorlie), Mary Chape (Managing Solicitor Perth), Shayla Gibbons (Broome)*





**ALSWA Court Officer inspires St John Ambulance book character**



Above: Stephanie Mippy pictured with other St. John Ambulance volunteers in Meekatharra

Earlier this year, the St. John Ambulance (Indigenous Ambulance Services) produced a Colouring-In Book for Aboriginal children, and one of the characters is named after our very own Stephanie Mippy!

ALSWA's Meekatharra Court Officer, Stephanie is also a Voluntary Ambulance Officer, a valued and vital role of volunteers in communities across the state.

Since volunteering her time a couple of years ago, Stephanie has completed Level 1 - Introduction to Ambulance Care, the 64 hour Primary

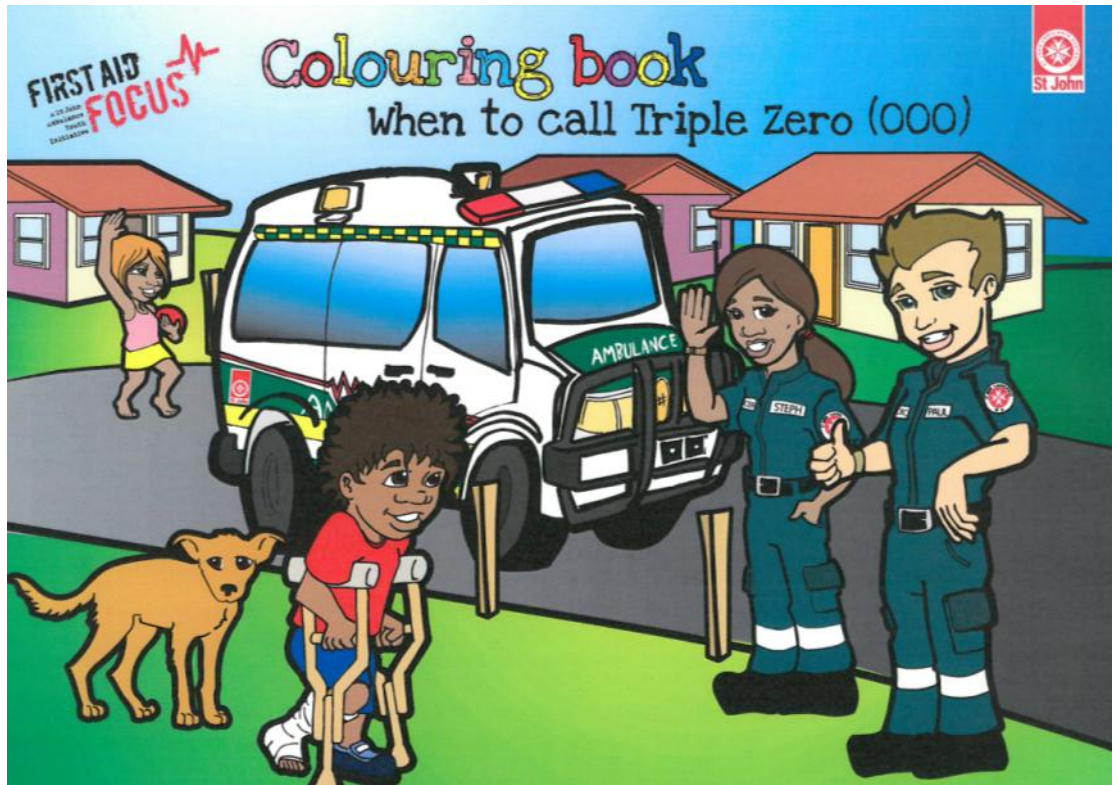
Ambulance Care (PAC) Course and has now progressed to the highest level, which is Advanced Ambulance Care (AAC).

Well done Stephanie! ALSWA is proud that you are such a valued member of the ALSWA team, along with the community within which you live and work!

***If you would like more information about becoming a St. John Ambulance Volunteer, you can phone St. John Ambulance (WA) on 1800 069 393***

This Colouring Book was done as part of a project by Indigenous Ambulance Services through St. John Ambulance WA.

One of the characters in the book is an Ambulance Officer called Steph!



### Would you KNOW YOUR RIGHTS if you were arrested?

**DO** give your name and address  
**DO** give your motor driver's licence  
**DO** ask if you are being arrested and what the charge is  
**DO** ask for bail if you are arrested  
**DO** ask for a telephone to contact ALSWA  
**DO** be polite

**ALSWA WA FREECALL**

**1800 019 900**

**ALSWA AFTER HOURS**

**08 9265 6644**

**DO NOT** answer any questions (except to give your name, address and driver's licence) until you speak to a lawyer or court officer

**DO NOT** make any written or spoken statement until you speak to a lawyer or court officer

**DO NOT** do an interview until you speak to a lawyer or court officer

**DO NOT** sign anything unless it is for bail

**DO NOT** please guilty to anything until you have spoken to a lawyer or court officer

**DO NOT** resist arrest

**DO NOT** be abusive or disorderly

### ALSWA 2013 Annual Report

Copies of the 2013 Annual Report of the Aboriginal Legal Service of WA will be available for distribution after the ALSWA AGM on 6th December 2013. These reports provide a comprehensive insight into the operations and work undertaken by ALSWA during the last financial year.

If you would like a copy of the report please contact ALSWA in Perth on 08 9265 6666 or WA Freecall 1800 019 900. The 2013 ALSWA Annual Report will also be available on our website at [www.als.org.au](http://www.als.org.au)



### RIP Barbara Oreo - ALSWA Albany Court Officer

It is with great sadness that ALSWA advises of the passing of Barbara Oreo.

Our Albany based Court Officer, Barbara was a wonderful woman whose work was greatly appreciated by both ALSWA and the many

Community people who she worked with.

Barbara passed away in October 2013.

She will be sadly missed by her colleagues, not only in Albany, but throughout ALSWA's fifteen offices,

as she was an integral and valued member of our ALSWA family.

Our love and condolences are with Barbara's family and friends.

She will be remembered always.





## **ABORIGINAL LEGAL SERVICE OF WESTERN AUSTRALIA**

*Winner of the 2012 Community Organisation Human Rights Award*

*Striving for Justice for almost forty years*

**Head Office at 7 Aberdeen Street Perth WA 6000**

With country offices located at Albany, Broome, Bunbury, Carnarvon,  
Fitzroy Crossing, Geraldton, Halls Creek, Kalgoorlie, Kununurra, Meekatharra,  
Newman, Northam, Roebourne, South Hedland

**WA FREECALL 1800 019 900**

**WEBSITE [www.als.org.au](http://www.als.org.au)**