



# Law Matters

## Aboriginal Legal Service of WA

Law Matters

April 2010

### Meet our new Executive Committee President

ROSETTA SAHANNA is the new Executive Committee President of the Aboriginal Legal Service of WA (Inc).

Her recent appointment has seen Rosie become the first female President for ALSWA since 1974. With a great interest in social and legal justice issues, this proud mother and grandmother from Broome advocates for equality and empowerment for our peoples.

A former ATSIC Chairperson, Rosie brings a wealth of experience to her new role and is currently the Coordinator of the Kimberley Link Up

Services and she looks forward to working with ALSWA's Board over the next twelve months.

For Rosie, taking on the role of President brought with it mixed feelings, as her appointment follows the sad loss of ALSWA's former President, who lost his battle with cancer in September last year.

"I knew our President for many years and he was a great inspiration to us all. Now that I have been appointed in this role, I feel very, very honoured. They are big shoes to fill, however I know the direction that he wanted to take ALSWA



Rosie Sahanna

into and I look forward to the challenge of this role and the experience that I can bring to my appointment as ALSWA's President".

***ALSWA's Management team welcomes Rosie aboard and looks forward to the important contribution that Rosie and the Executive Committee will bring. ALSWA also thanks Murray Yarran for fulfilling the role of Acting President in recent months.***

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### United Nations Forum (New York) 19 - 30 April 2010

Australia's shameful record of incarceration of its Indigenous peoples has come under the international spotlight this month.

As part of the United Nations Permanent Forum on Indigenous Peoples (UNPFII) in New York, a Report

from Australia was presented focusing upon Indigenous Juvenile Justice across Australia. ALSWA CEO Dennis Eggington is attending the conference as a Leader and Mentor.

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ALSWA CEO  
Dennis Eggington in New York

## Human Rights decision ‘*profoundly disappointing*’ says ALSWA

The Federal Government’s failure to introduce a Human Rights Act is profoundly disappointing, according to ALSWA.

Speaking from the United Nations Permanent Forum on Indigenous Issues in New York, ALSWA CEO Dennis Eggington said “It is particularly ironic being with representatives of the world’s most eminent human rights body, that we find our own government lacks the fortitude to uphold the rights of its own citizens”.

“The very fact that ALSWA is forced to highlight human rights abuses through the UN, painfully demonstrates the entrenched marginalisation of Australia’s First Nations Peoples in our own land”.

Mr. Eggington said that the Federal government’s refusal to embrace an appropriate rights based approach is ‘a slap in the face’ to the many organisations who contributed to the National Human Rights Consultation process.

“Numerous Indigenous stakeholders throughout

Australia strongly supported a Commonwealth Human Rights Act. To then have the government fail to introduce this is disheartening to say the very least”.

ALSWA believes that such a decision undermines the Rudd Government’s assurances that they would protect the rights of this country’s most vulnerable.

“In an election year I am dismayed that the Federal Government is prepared to play politics with our people’s lives”. “Human rights should be placed above campaigning and we need our federal leaders to show true leadership in this matter. What we have seen instead is a watered down ‘framework’ which rather than assuring human rights assures nothing more than another bureaucracy”.

Mr. Eggington said that although there was some merit in the Government introducing new measures to improve education about Human Rights, that Aboriginal peoples were already well

aware of the issues. “Indigenous peoples have learnt the lesson first hand of what happens when human rights are either abused or withheld. We could certainly teach the government how painful and dispiriting this is if it chooses to listen. Unfortunately with this latest decision it has clearly chosen not to listen”.

ALSWA, along with other Indigenous Advocacy groups at the UN Forum is highlighting the poor track record Australian governments have in providing equal rights to its Indigenous citizens. Mr. Eggington believes that Prime Minister Rudd’s former position as a diplomat should give him reason to reflect on what damage his government’s refusal to implement a Human Rights Act is doing to Australia’s reputation on the international stage.

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## 2010 NAIDOC Perth Awards now open



The NAIDOC Awards are a wonderful way for our community to be acknowledged and NAIDOC Perth is inviting you to nominate Aboriginal and Torres Strait Islander individuals or organisations in 2010.

Nomination Forms are available at [www.naidocperth.org](http://www.naidocperth.org)

### Award categories in 2010 are:

- *Outstanding Achievement*
- *Elder of the Year (2)*
- *Sportspersons of the Year (2)*
- *Tertiary Scholar of the Year*
- *Artist of the Year*
- *Business of the Year*
- *Not-for-Profit Organisation of the Year*
- *Carer of the Year*
- *Youth of the year (2)*

**Nominations must be received by NAIDOC Perth by 5pm Friday 4 June 2010**

## Cassie Riley - Working to help our People



(Above) Cassie Riley from ALSWA's Law & Advocacy Unit

**"I love working to help my Community and my People"**



Through her work with ALSWA since 2004, Cassie Riley has gained a great insight into the ongoing injustice faced by many of our people and believes that it is important that "our mob know what our rights are and stand up for ourselves".

Commencing with ALSWA's Broome office as a legal secretary in 2004, Cassie re-located to Perth in 2008 where she is now the legal secretary of ALSWA's Law & Advocacy Unit.

She is enjoying the role and the opportunities that it has provided, including attending various courses and Human Rights conferences.

"I am very proud of myself and the knowledge that I have gained and enjoy working with our fantastic Unit staff. I also love working to help my Community and my people".

Cassie says that through her role and attending various programs she has learnt a great deal about Human Rights and the issues facing our peoples. "I've gained so much knowledge and feel so proud of myself and I can now share my knowledge with my community, staff, friends and family".

Cassie looks forward to the ongoing diversity that her role brings, and believes that we, as Aboriginal people need to "...believe in ourselves, stay strong and always stand tall".

## Family Violence Prevention Legal Service - Acting CEO

The Family Violence Prevention Legal Service (FVPLS) is auspiced by the Aboriginal Legal Service of WA (ALSWA). Lawyer Kim Axford is currently the Acting CEO of FVPLS until a permanent appointment is made and all FVPLS enquiries should be directed to their Perth office on 08 9328 9384.



## United Nations Forum (New York) *continued from page 1*



General Assembly

Mr Eggington is attending NY as part of the delegation of Aboriginal and Torres Strait Islander organisations, made possible through a funding contribution awarded by the Aboriginal and Torres Strait Islander Social Justice Commissioner. Before departing Perth he said "Our children deserve the same outcomes as any other Australian child and it is

heartbreaking and embarrassing that we must seek solutions in forums beyond these shores. Human Rights is the front and centre story of this country and we will continue to shine a light on these hidden issues wherever and whenever we can. We owe this to those who have gone before us and to those who will follow". **Full UN Forum story next Ed.**

## Great effort from ALS Fusion in volleyball competition

The Young Lawyers Committee (YLC) recently held a volleyball competition, as part of a series of social networking events. ALSWA lawyers Wendy Young, Rob Owens, Seranie Gamble, Madge Mukund and Tony Hager joined forces with other lawyers to form 'ALS Fusion'.

Playing against nine other teams on the night, 'ALS Fusion' remained undefeated until the grand final, taking out 2nd place.

The next YLC event in this series will be a touch rugby competition that ALSWA lawyers will enter in June. Well done all!



*ALS Fusion (above) - 2nd place in the YLC volleyball competition*

*Photo courtesy of The Law Society of Western Australia*

## ALSWA welcomes Community Court pilot extension



**“The Government must urgently address the underlying social problems that affect our people on a daily basis”**

*John Bedford*



The ongoing success of Aboriginal/Community Courts will depend largely on whether the Government takes seriously the Recommendations of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) and works harder towards improving the social and economic circumstances of Aboriginal people, according to the Aboriginal Legal Service of WA (ALSWA).

ALSWA has welcomed the extension of the Kalgoorlie-Boulder Community Court pilot over the next two years. “Courts such as this are culturally inclusive for our people and have successfully operated throughout Australia for some years now.

We remain optimistic that WA will see a re-

duction in re-offending, as has been the case in other parts of the country” said John Bedford ALSWA Executive Officer/Acting CEO. However, ALSWA says that Governments must urgently address the underlying social problems that affect our people on a daily basis in terms of adequate housing, education & training, health and job creation opportunities. Having advocated for the introduction of Aboriginal Courts in WA for many years, ALSWA believes it is still early days since the 2006 launch of this community court. “The re-offending rate is not the only way to measure the success of a program and there are many positives that come from having a Community Court and WA needs to explore

the success of these courts in other states to determine what makes them work” said Mr. Bedford.

ALSWA welcomes the commitment of the State Government to commit further resources with a view to establishing adequate measures to provide linkages to appropriate community based rehabilitative programs. “We are pleased that the next two years of the Kalgoorlie-Boulder Community Court will have a greater focus on ‘referring offenders to programs and referring a wider range of offenders to the community court’. Reducing recidivism rates can only occur when key stakeholders work together with a holistic approach and ensure that appropriate rehabilitation support is provided”.