



LAW MATTERS

Aboriginal Legal Service of WA

Christmas Edition December 2009

CHRISTMAS MESSAGE FROM THE CEO

2009 is almost over and as CEO of the Aboriginal Legal Service of WA, I would like to give special thanks to our dedicated Management and Staff for your tireless efforts over the past year. Our work in striving for justice is vital if we are to continue to seek a better future for our people. There is always much work to be done but I am proud of the dedication and commitment shown by our team at ALSWA across the state.

To our Executive Committee members, thank you also for your guidance and contributions throughout the year. It has been a tough year for us all in losing our President to cancer in September. His efforts and inspiration will remain with us always as we continue our work in the future. Our Tribute can be read on page 3.

With the festive season upon us, we wish everyone a very happy and safe Christmas and New Year. Our thoughts are also with our brothers and sisters who are in prison at this time.

To our community, stay strong and take good care of each other. We trust that this newsletter will provide you with a greater insight into our work over the past year. Merry Christmas and a happy and safe new year to you all.

Yours in Unity,



Dennis Eggington

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ALSWA President*

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PLUS

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CONGRATULATIONS TO THE 2009
RECIPIENTS OF THE ALSWA
EDUCATIONAL SCHOLARSHIPS!

More photos on pages 8 and 9

Office closure over Christmas/New Year

The Aboriginal Legal Service of Western Australia will close at **12 noon on Thursday 24th December 2009 and re-open on Monday 4 January 2010.**

If you need **URGENT** legal advice relating to a criminal law matter during this time please phone our

After Hours Officer on 08 9265 6644.



CULTURAL WARNING

Tribute to our late Executive Committee President page 3

Redress WA Update

ALSWA has assisted over 1000 people statewide with their Redress WA applications and Civil Unit manager Gulmina Mioceвич is proud of the assistance given by staff and pro-bono workers assisting in this area. "This was a very emotional area of work and those who came forward to tell their stories did so with much courage and strength. Thank you to our staff and pro-bono workers for the sensitivity displayed and assistance given" said Ms. Mioceвич.

Redress WA can be contacted direct on 1800 617 233 and their website is www.redress.wa.gov.au

If you would like more information about Redress WA or your own application done through the Aboriginal Legal Service of WA, please Freecall ALSWA from anywhere in WA on 1800 019 900.



Above: Margaret Stephens, Kristy Gaunt, Gulmina Mioceвич, Kim Axford, Sylvia Millar and Wendy Young (from ALSWA's Civil Unit)

2009 Annual Report

ALSWA's 2009 Annual Report will be widely distributed and placed on our website www.als.org.au after our AGM on 18 December 2009.

If you would like a hard copy of this Report please contact our Media Officer on 08 9265 6666.



Check out ALSWA's new website www.als.org.au

ALSWA's website is currently being updated and re-vamped and new information and photos will continue to be added over the coming months to reflect our statewide services that operate out of 18 offices throughout WA.

Our new website will feature comprehensive information on ALSWA's work, submissions, legal education, media, information and 'Breaking News' from the ABC's Indigenous News website.

We invite you to check out www.als.org.au from late December 2009 for comprehensive information on ALSWA's role, services and information of interest to our community, government and other key stakeholders.



"Tjootiny" ("Djudiny") by Leashay Eggington (Website artwork)

"I was ten years old when I did this painting. This is my Nyungar name that was given to me by my late grandmother Joan Eggington (Nee Hayward). It's about me learning about finding my own way in life. This painting symbolises me as the little kangaroo searching for water - the element of life".

Tribute to Terry Whitby 20 December 1956 - 15 September 2009

At the time of his passing, Terry Whitby (*pictured on right*) was the President of the Executive Committee for the Aboriginal Legal Service of Western Australia (ALSWA).

He was voted into this role during 2008 and enthusiastically embraced his involvement and input into the service, which he referred to as an 'icon body'.

Terry always had a great commitment to social justice and first became involved with the ALS in its early days during the 1970's.

As one of the services pioneering Field Officers, he was greatly committed to striving for justice for Aboriginal people. He also played an important role during the years when the Court

Officer Unit was being established, and this unit remains a vital part of the ALS over thirty years on. As a former staff member, and through his involvement with the Executive Committee, Terry has provided a wealth of experience and guidance to many people.

Through his role as President, he was deeply committed to prioritising areas such as prisoner reform, alcohol programs and family violence so that there would be more opportunities and better outcomes for Aboriginal people in the future.

Terry remained greatly supportive of the unique work done by the Court Officers and the role that the ALS played within the justice system. As our President and friend he showed invaluable guidance and

commitment to his role. We are honoured that Terry's last years were spent working with us striving towards a more just and equitable justice system for our future generations.

His knowledge, involvement, humour, dedication, strength, inspiration and friendship will be sadly missed. Our thoughts are with all of Terry's family and friends, we share their loss.

And to you Terry, our brother and our friend, we say 'thank you'. We will always be inspired by your strength and courage as we continue striving for justice for our people.

Farewell Terry and rest peacefully – you will continue to inspire us our friend and brother, thank you for all you have done and for your compassion and commitment to our people.

You have touched the lives of many.

*With love from
ALSWA...*



TRIBUTE to TERRY FROM ATSILS

On behalf of the ATSILS Forum (Aboriginal and Torres Strait Islander Legal Services) we extend our condolences to the family and friends of Terry Whitby. During a national ATSILS meeting in Adelaide we were saddened to learn of the passing of our brother Terry.

Through his role as President of the Aboriginal Legal Service of WA (ALSWA) Terry has become known to many of us through his previous attendance at similar meetings.

He was deeply committed to working towards a better future for Aboriginal and Torres Strait Islander peoples and has made invaluable contributions over many years through his work in Aboriginal Affairs.

We also acknowledge the important contributions made by Terry through his involvement in various working groups of the United Nations in Geneva. Our thoughts are with all who knew Terry – he will be greatly missed.

*From Frank Guivarra,
Chairperson
ATSILS Forum*



The Aboriginal flag at ALSWA Head Office flies at half mast following the passing of Terry...

Family Violence Prevention Legal Services (FVPLS)



Back row L-R: Mark Colwell (Broome), Kristen Wallwork (Carnarvon), Rose Van Keppel (Kununurra), Rhonda Stott (Perth) Mark Johnston (Perth) Michael Reason (Port Hedland)

Front row L-R: Linda McIntosh (Geraldton), Corina Martin (Kalgoorlie), Tonya Jensen (Geraldton), Rose Best (Broome), Katrina Carlisle (Perth), Fay Sambo (Kalgoorlie)



FVPLS
“This is a wonderful opportunity to build on and improve the services for families in our state”

Katrina Carlisle
FVPLS Executive Officer

ALSWA’s role with FVPLS

This year saw ALSWA take on the auspicing role for WA Family Violence Prevention Legal Services (FVPLS). Katrina Carlisle, FVPLS Executive Officer (pictured on left) is confident that this development will have many benefits for families across WA. “One of the principle reasons for ALSWA undertaking an auspicing role with FVPLS’ was a recognition by ALSWA of the importance of service delivery and access to justice for women, children and young persons who are victims of crime and that improvements could be made through ALSWA

to such service delivery. This is a wonderful opportunity to build on and improve the services for families in our state” said Ms. Carlisle. In that respect, ALSWA has a proud history, spanning more than 30 years, of providing legal assistance to the WA Aboriginal community. The day to day operations of FVPLS auspiced by ALSWA are entirely independent from the day to day operations of ALSWA. ALSWA has no involvement of any kind nor seeks to influence in any way the provision of legal services by FVPLS’ to its clients. Also the FVPLS units

are completely stand alone to ALSWA and there is no sharing of office space etc. Staff members from FVPLS offices in Perth, Broome, Carnarvon, Kununurra, Port Hedland, Geraldton and Kalgoorlie met recently in Perth. The meeting was organised to improve communication / linkages with each of the FVPLS units, and to develop consistent policies and procedures for all of the auspiced units. If you’d like more information on FVPLS the Head Office in Perth can be contacted on 08 9328 9384.

ALSWA’s Darts Carnival champions



Well done to ALSWA’s Noala Ryder (Family Law Unit secretary) and Leashay Eggington (Court Officer) who took part in the 2009 WA Perth Aboriginal Dart Carnival on 21-22 November. Their team ‘JENGLLS’ only formed earlier this year although both women have a long standing interest in darts. “It was a statewide competition with other Aboriginal teams and we thought it would be great fun playing a weekend of darts - we didn’t expect to win, so we’re thrilled” said Noala after the team was named as Division 1 Women’s Champions.

More Prisoner Support roles at ALSWA



More support is now available for prisoners and their families through ALSWA's Prisoner Support Officers (PSOs).

These positions were created this year and our PSO's work out of ALSWA's Perth Head Office.



The role of our PSOs is to reduce repeat offending by supporting Indigenous prisoners and their families.

Regular prison visits to adults and juveniles ensures that there is information and support available in many areas including:

- Prison procedures
- Help with parole
- Filling in forms
- Referrals for legal assistance
- Help with prisoner transfers
- Crisis intervention
- Advice on Funeral Leave
- Visits
- Family Support
- Referral to outside agencies including counselling
- Liaison with external support agencies or service providers
- Advocacy within the prison.

ALSWA PSOs can also address any questions

Prisoners may have and advocate for clients in relation to sentence management issues.

In metropolitan Perth visits to prisoners are weekly and in remote and regional areas the visits are at least once every 2 months.

Our PSOs also travel to country WA to assist offenders in accessing restorative justice and other suitable programs and they can provide education about programs and encourage the development of community based initiatives.

Pictured above are Georgina Boddington PSO and Sam Dinah PSO & Complaints Officer

To speak with one of our Prisoner Support Officers please phone 1800 019 900. (freecall in WA) Prisoners should call the ALSWA phone number on the prison phone system

Meet Wayne Nannup - our new Articled Clerk

"I completed my study at Murdoch University and started work at ALSWA in September this year. My thoughts on what type of law I was interested in changed through-out my degree. That being said, my first thought was crime and my last thought was crime, hence where I am today.

ALSWA was always my preferred option as I was informed there is no better place to learn and it's no secret that I am comfortable representing my own people.

I was born in Geraldton and spent the first two years of my life in Mullewa, before moving to Three Springs in the Wheatbelt. I also have connections to the Kimberley, Pilbara and South West. I was always interested in the law but at the age of 19 probably not ready for such a commitment. However, as a mature age student it allowed me to apply technique's like a good work ethic and persistence to achieve that goal.

For those considering studying a law degree it is achievable provided you a prepared to do the work, as I certainly was not a brilliant student.

I am also fortunate to have a supportive family which made all the difference. I am thankful for the opportunity".



INSPECTING PLACES OF CUSTODY

Professor Neil Morgan
Forum with Inspector of Custodial Services



Professor Neil Morgan (*pictured on right*) is the WA Inspector of Custodial Services and he was the invited guest at a forum recently facilitated and hosted by the Aboriginal Legal Service of Western Australia (ALSWA).

“Inspecting Places of Custody: Issues, Practices, OPCAT & The Ward Case” a 2 hour workshop held at ALSWA’s Perth Head Office, attracted much interest from ALSWA staff and external agencies including the Deaths in Custody Watch Committee, Amnesty International and Legal Aid WA.

Elder Ben Taylor gave the Welcome to Country before MC Tammy Solonec, ALSWA Senior Policy Officer introduced Professor Morgan to participants.

Also speaking at this event was Joseph Wallam, Community Liaison Officer at the Office of the Inspector of Custodial Services. (OICS).

The seminar provided the ideal opportunity for participants to hear from the Inspector of Custodial Services about wide ranging issues and to have the opportunity to ask questions at the end of the session

Topics covered included The Ward case, Aboriginal imprisonment, Parol Review Board, overcrowding in prisons, monitoring standards and OPCAT, OICS and the proposed OICS extension of powers, the Coroner’s recommendations from the Ward Inquest, places of detention relevant to OPCAT, and OPCAT implementation in Australia.

The seminar has received much positive feedback and ALSWA is grateful for the time provided by all guest speakers and looks forward to hosting more legal forums in the future. Any queries about this forum should be directed to ALSWA’s Tammy Solonec in Perth on 08 9265 6666.



Above: Elder Ben Taylor and
Below: ALSWA’s Tammy Solonec



Above: L-R Professor Neil Morgan, Elder Ben Taylor and Joseph Wallam: Right: Lorretta McNamara, Seranie Gamble, Glenn Moore, Kenny Sutton, Ben Taylor, Sam Dinah, Georgina Boddington, Professor Neil Morgan, Joseph Wallam Tammy Solonec, Cassie Riley

NAIDOC AWARDS - Congratulations to Sam and Dennis!

Congratulations to ALSWA's CEO Dennis Eggington and Prisoner Support Officer Sam Dinah who were each acknowledged during NAIDOC celebrations in Perth this year. Sam (*Outstanding Achievement Award (male) runner up*) first began working with ALSWA over 30 years ago

as a Court Officer and is now ALSWA's Prisoner Support Officer/Complaints Officer. Dennis Eggington (*Tertiary Scholar of the Year (male) runner up*) who has been ALSWA's CEO since 1995 graduated this year with his Masters of Human Rights Education from Curtin University of Technology. **Congratulations!**



Jonathon Reid admitted as a lawyer



Jonathon Reid (above right) is pictured with ALSWA Family Law Senior Solicitor Simon MacDonald who moved his admission.

Also attending the admission were Mary Chape (Family Law Unit Managing Solicitor), Garth Melvold and family members of Jonathon

Congratulations to Jonathon Reid from ALSWA's Family Law Unit who was admitted as a Lawyer in October. A Yamaji/Burimaia man, Jonathon graduated from UWA (Bachelor of Law). His legal journey began in 1999 as an ALSWA Court Officer in Northam. This provided an invaluable insight into the issues facing our people as he travelled around the Wheatbelt towns of Merredin and Moora, listening to the stories of community members, before providing legal assistance. Returning to ALSWA in 2007 provided Jonathon with the opportunity to work for his people whilst also completing his studies. "Justice is an elusive concept, but management of the 'system of justice' and providing for our clients was my overwhelming motivation. After being given the chance to

advocate for people in the Court of Petty Sessions, I realised that to successfully advocate or run a trial I would have to complete a law degree" he said.

Jonathon became interested in law when he caught a glimpse of the daily operations of a Perth courtroom. Witnessing the large number of Aboriginal people in court on any given day, he pledged to assist his people through this process, as a lawyer. After graduating from UWA's Indigenous Pre-Law program, he returned to uni as a mature age student studying law.

"I hadn't attended an educational setting for about 13 years so I feel that I have faced a significant challenge and accomplished my goals". Jonathon is grateful to UWA's School of Indigenous Studies, lawyer Kim Farmer who first invited him into a

courtroom and his family for their ongoing support. "My hope is that our youth recognise the importance of an education that opens up greater opportunities in life and allows for their voice to be heard. They will be the 'changers' in our society - changing racial discrimination to the acceptance of others, anger to empowerment, poverty to opportunity and loss to gain. It is our next generations' time - time to act, to sacrifice, to be the voice of our ancestors and to put yourself in the place where your voice is powerful and your message is heard. I chose to be an activist for change in the law courts and I'm very proud of my achievements. By becoming a lawyer I now have the opportunity to assist my people in times where it is necessary because of the intricacies of the Law and the court process".

Students receive ALSWA Educational Scholarship

Thank you to everyone who applied for an ALSWA Educational Scholarship in 2009. Whilst all applications deserved to be awarded, unfortunately there was only a limited number of scholarships available and in 2009, these were awarded to:

CENTRAL AND WHEATBELT PRIMARY: Decklin Leilua-Rowbotham, Wendy Kennedy, Theodore Albie William Hayden, Dereece Hanley, Braydon Lawrence, Courney Humes, Tahlia Garlett, Azmara Summers, William Miller, Isaiah Wright, Ravae Hirschausen, Georgie Gosling, Jakieta Lee, Clarence Green, Malachi Johns, Bethany Miller, Kiara Whitby, William Krakouer, Jordina Abraham,
SECONDARY: Yvette Devenish, Gabrielle

Matchett, Tahlia McLennan, Patricia Bennell, Tidja Proctor, Jessica Slater, Sebastian Websdale, Robyn Cole, Travis Humes, Danieka Taylor, Isaiah Bolton, Chloe Sawyer, Crystal Lee Voss, Danielle Hayden, Summer Quinn, Luke Yates, Talyssa Lockyer, Ricky Henry, Janadelle Narkle, Jasmin Bye, Cameron Taylor Tahleea Edmonds, Shaquille McKenzie, Bevan Bennell, Kate Eades, Dakota Whitby, Teegan Garvie

GOLDFIELDS PRIMARY: Neil Dimer
SECONDARY: Ellie Moir, Ethan Day, John Layton, Patrick Howell

MURCHISON GASCOYNE PRIMARY: Tayunna Cook, Rhianna Maher, Kailani Whitby, Dean Harris, David Nutter, Hugh Sando,
SECONDARY: Dana Anaru, Fallon Gregory, Callum Phillips, Elaine Dalgetty, Keanu Whitby

PILBARA SECONDARY: Estelle Guinness, Laura Connors, Kara Patch, Annabel Jack, Katelyn Thomas, Ramon O'Mara

WEST KIMBERLEY SECONDARY: Jackalena Ansey, Maisie Starr, Lily Masuda

EAST KIMBERLEY PRIMARY
Janaine Ward

SOUTHERN PRIMARY: James Farmer, Leigha Van den Berg,
SECONDARY: Sheldon Tompsett, Koedee Brown, Kayetlin Thorne, Geoffrey Dean, Patricia Farmer, Priscilla Yarran, Katina Cox, Marley Hunter
Scholarships are \$250 for primary and \$500 for secondary students.
More information on our website at: www.als.org.au
(More photos on next page)



*Pictured above are some of the 2009 ALSWA Scholarship recipients with ALSWA's Dennis Eggington and Katrina Carlisle.
Top right: Luke Yates and on right Jasmine Below (on right)*

Raising money for breast cancer

Our Geraldton Office hosted a Pink Ribbon Breakfast on Monday 26 October to raise much needed money for breast cancer research.

Organised by ALSWA Legal Secretary Robyn Webb, the breakfast raised \$964.00.

“I actually began my Breast Cancer journey three years ago and raising money for research into this disease is something that is dear to my heart” said Robyn.

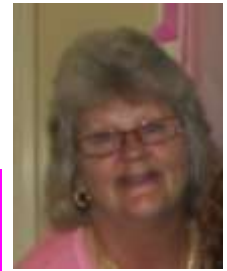
Supporters attending the breakfast were treated to great food and prizes and

lots of fun and Robyn is grateful for the support shown by sponsors and those who came along on the morning.

Over thirty people attended including representatives from Geraldton Regional Aboriginal Medical Service, Corrective Services, Geraldton Court along with friends, lawyers and local Magistrate Steve Sharratt.

Pink Ribbon Breakfasts are an annual event organised by the National Breast Cancer Foundation (NBCF) (for the prevention and cure of breast cancer).

Right: Robyn Webb ALSWA
Geraldton Legal Secretary
Below: Stephanie Mippy Snr
Court Officer and Lawyer
Monica Collard



For more information see the NBCF website www.nbcf.org.au



Educational Scholarships *continued from previous page*



It was a proud day for our young people when they received their Certificates and the Perth presentation ceremony at ALSWA was attended by many proud family and friend. Recipients above L-R Cameron Taylor, Robin Cole, Crystal Lee Voss, Sebastian Websdale



Bottom Row: L-R Isaiah Wright, Tidja Proctor, Brayden Lawrence, Georgia-Rose Gosling, Azmara Summers

FOR MORE INFORMATION ON THE ALSWA EDUCATIONAL SCHOLARSHIPS SEE OUR WEBSITE AT www.als.org.au

Human Rights Consultation

Throughout 2009 an important consultation occurred in Australia about human rights. The consultation asked us to consider three questions:

Which Human Rights and Responsibilities should be protected and promoted?

Are Human Rights sufficiently protected and promoted?

How could Australia better protect and promote Human Rights?

The consultation was taken seriously with more than 40,000 people participating and over 35,000 submissions received. The Consultation Committee also conducted round table discussions in over 70 locations across Australia.

Community Seminar

On 1 May 2009, ALSWA facilitated an Indigenous community forum at Derbarl Yerrigan Health Service in Perth to encourage Indigenous participation in the consultation.

The seminar was facilitated by Senior Policy Officer at ALSWA, Tammy Solonec, with guest speakers pictured below: Dennis Eggington, Chief Executive Officer of ALSWA (left), Graeme Innes, the Australian Human Rights Commissioner (front, centre), Christine Fougere, Deputy Director of Legal Services at the Australian Human Rights Commission (back, centre) and Rodney Dillon, Indigenous Rights Campaigner for Amnesty International Australia (right)



ATSILS Joint Submission

ALSWA contributed to a joint submission, along with other Aboriginal and Torres Strait Islander Legal Services (ATSILS). Each ATSILS provided valuable insights into the human rights violations against our clients. In regards to whether or not to have a Human Rights Act, we said:

“ATSILS support the adoption of a Commonwealth Human Rights Act that is binding on all States and Territories. However, it is important to recognise that this model, as opposed to Constitutional reform, is vulnerable to the whims of successive governments such as the recent suspension of the Racial Discrimination Act (RDA) in the Northern Territory (NT) in order to enact the NT Emergency Response legislation (NTER). In the future, serious consideration needs to be given to constitutional reform. If a Human Rights Act is adopted, the Act should provide for a preamble or some other special acknowledgment of Aboriginal and Torres Strait Islander peoples as the First Nations peoples of Australia. In determining how this acknowledgment is worded and to ensure that the Act adequately protects Aboriginal and Torres Strait Islander people, Aboriginal and Torres Strait Islander individuals and organisations must be sufficiently consulted in ways that are culturally appropriate and accessible to the most disadvantaged and remote sections of the Aboriginal and Torres Strait Islander community.”

Recommendations from the Consultation

The report from consultation was released on 8 October 2009, with 31 recommendations including that Australia should adopt a Federal Human Rights Act.

It was recommended that this Act outline rights and responsibilities and give individuals a cause of action which offers recourse and remedies where human rights have been violated.

Human Rights Consultation *continued*

The recommendations revolved around the following themes:

Creation of a human rights culture;
Human rights in policy and legislation;
Human rights in practice;
Human rights and Indigenous Australians;
and Human Rights Act.

Government Response

An interim Government response to the report was released in October 2009. That response said the Government is committed to addressing human rights in Australia and that the debate “is not about whether we protect human rights — it is about how we protect human rights.”

The Government said they were committed to taking action to foster an Australian culture where the fundamental human rights of all people are respected and protected, and to ensure a range of mechanisms are available to promote and protect those rights. This is a positive response, but we will wait with anticipation to see what model is suggested and we along with other ATSILS will continue to provide comment and feedback into that process.

For more information about the consultation see:

<http://www.humanrightsconsultation.gov.au>

http://www.ag.gov.au/www/agd/agd.nsf/Page/Publications_NationalHumanRightsConsultationReport

It was pleasing that a number of the recommendations referred specifically to our people. Eg: the first theme recommended specifically that “any education and awareness campaign incorporate the experiences of Indigenous Australians – with a particular focus on recent and historical examples of human rights concerns”; and that a readily comprehensible list of Australian rights and responsibilities be drafted that “acknowledge and respect the special place of our Indigenous people and acknowledge the need to redress their disadvantage.”

The fourth theme “Human Rights and Indigenous Australians” is important to us. Recommendation 15 sought to deal with the suspension of the Racial Discrimination Act for ‘Special Measures’ as was done for the Northern Territory intervention. It recommended that if the RDA is to be suspended on such grounds again, then the Federal Parliament should be supplied with a “statement of impact on Aboriginal and Torres Strait Islander peoples”. Recommendation 16 suggested that the Federal Government develop and implement a framework for self-determination for Indigenous peoples.

Whilst these recommendations are welcomed by ALSWA, we believe they do not go far enough in recognising and protecting the unique rights of Indigenous Australians.



Leah Bonson (above centre) is the Acting Aboriginal Advisor for the WA Commissioner for Children and Young People (Michelle Scott). She is pictured with ALSWA CEO Dennis Eggington and Robyn Ninnette, Law & Advocacy Unit Manager during a recent meeting at the Aboriginal Legal Service of WA.

ALSWA will present a weekly legal program on 6NME Noongar Radio from 2010 that can be heard in Perth on 100.9FM or via live internet streaming at www.noongarradio.com



Tammy Solonec achieves long term legal ambition

It was a proud occasion for Tammy Solonec and her children, family and friends when she was admitted as a lawyer in December last year. Now a Senior Policy Officer with ALSWA, Tammy had wanted to study law from an early age.

“I have always been interested in politics and current affairs, which I think has something to do with the fact that my Dad watches hours of news every night and we were always discussing and debating things as I grew up.

During my teenage years, Mum went to Uni and did a degree in Aboriginal and Intercultural Studies at ECU. She explained to us the things she learnt and that, along with having been born in Derby and grown up in regional and remote WA (including Derby, Exmouth, Mullewa, Marble Bar and Tom Price) gave me a passion for Indigenous affairs and trying to address some of the gross inequities against Aboriginal people in this country.

When I was 16 Mum and I moved to Perth so I could complete my high school and she her degree. I did my TEE and did well but not enough to get into law, so I enrolled to become a Physed Teacher. Then, I found out about the inaugural Pre-Law Program at UWA and applied. This was when I was 17, in 1993.

I got in and then I did the 5 week intensive which got me into Law school.

The Pre-Law Program was set up by Richard Bartlett and Neil Morgan from the UWA law school, Martin Flynn from the NT Uni and Dr. Jill Milroy from the School of Indigenous Studies. The program was very successful and



Left:
Tammy Solonec
with Robyn
Ninyetts, Managing
Solicitor, ALSWA
Law & Advocacy
Unit

went on to be mirrored in universities all across Australia and has lead to hundreds of Aboriginal people gaining law degrees. It has recently been awarded the prestigious Neville Bonner Award for Indigenous Education.

Getting admitted on the 19 December 2008 was really emotional because it took 14 years all up to become qualified...” (due to juggling study with other commitments) “...and I am so happy now to be doing what I have wanted to do for so long.

It was natural that I wanted to work at ALSWA. I am working in policy now, because I have managed to get a good understanding of legislation and government after working as a state public servant for over 5 years. My advice for other Aboriginal people embarking on a law degree is to be persistent, even when the going gets tough and to ask for help when you need it. I believe people who do well in law must be determined, organised and committed” said Tammy, who is a proud mother and currently holds the position of ALSWA’s Senior Policy Officer.



We'd like to wish all staff and clients a very Merry Christmas and a safe and Happy New Year. Northam ALSWA has had a very busy and productive year. We've had our laughs and our sad times - but what really makes our day is when our clients always come into the office with smiles and great yarns.

From Sylvia and Simone, ALSWA Northam



ALSWA expands human rights work

ALSWA's philosophy is enshrined in the principles of international human rights law as set out in the Universal Declaration of Human Rights. These principles recognise the inherent dignity and the equal and inalienable rights of all people as the foundation for justice, which form the basis for the services ALSWA provides.

The Australian Government has indicated a new willingness to consider international human rights law for guidance in its treatment of Aboriginal people, (eg: its recent support of the *Declaration on the Rights of Indigenous People*)

Solicitor Seranie Gamble (pictured) has taken on a newly created role in ALSWA's Law and Advocacy Unit, specialising in international human rights law and advocacy. The role focuses on empowering Aboriginal people to better understand and realise our fundamental human rights, and to learn more about the international mechanisms, developments and achievements that relate to Aboriginal people internationally. This includes promoting the implementation of the Declaration of the Rights of Indigenous People, utilising the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous Peoples, and seeking consultative status as a non-government organisation with the United Nations Economic and Social Council to facilitate our increased involvement with the United Nations Permanent Forum on Indigenous Issues and



Pictured above with the Special Rapporteur are Perth based community and organisation representatives Marlene Jackamarra, Michelle Scott, Helen Corbett, Suresh Rajan, Murray Yarran, Ben Taylor, Ramdas Sankaran, Dot Henry, Brian Wyatt, Marianne Mackay and Michael Blurton

the Expert Mechanism on the Rights of Indigenous People.

ALSWA has already co-hosted a community forum with the National Native Title Council for the Special Rapporteur during his visit in August 2009. Community members were invited to attend a round table session with the Special Rapporteur to voice their human rights concerns. The Special Rapporteur spent half a day listening to participants and assuring them their issues will be considered in his final report to the United Nations Human Rights Council. ALSWA provided the Special Rapporteur with copies of our most recent submissions and invited Managers to participate in the roundtable sessions to inform him of the concerns we have about the rights of Aboriginal people in WA.

We also delivered a workshop presentation at the National

Community Legal Centre Conference in Perth in September 2009 about the relevance of international human rights law to Aboriginal people and exploring how to use this workshop as a tool for reaching out to the community about these issues.

ALSWA is collaborating with the Australian Human Rights Commission, Curtin University, the South West Land and Sea Council and the Diplomacy Training Program to coordinate a series of Indigenous Human Rights Workshops in 2010.



ALSWA's Seranie Gamble, who is currently completing a part-time Masters in International Human Rights Law at Oxford University.

CHECK OUT PAGE 14 FOR INFORMATION ON THE INDIGENOUS PEOPLES, HUMAN RIGHTS AND ADVOCACY PROGRAM (ON IN PERTH IN FEBRUARY 2010)

2010 Indigenous Peoples, Human Rights and Advocacy Program

INVITATION TO ABORIGINAL & TORRES STRAIT ISLANDER COMMUNITY ADVOCATES

The Diplomacy Training Program and Oxfam Australia are calling for applications for its 2010 Indigenous Peoples, Human Rights and Advocacy Program for Aboriginal and Torres Strait Islander Community Advocates from Perth and the surrounding Regions.

**The program will be held in Perth from
9 - 12 February 2010 at the University of Western Australia.**

The program is being held in partnership with the Aboriginal Legal Service of Western Australia (ALSWA) and the Centre for Aboriginal Studies at Curtin University.

This is a FREE program funded by Oxfam Australia. All food, accommodation and program fees are covered by Oxfam Australia.

For more information or to obtain a program brochure and application form please contact Seranie Gamble at ALSWA on 9265 6666 or email sgamble@als.org.au

Application forms must be completed and emailed to ntp@unsw.edu.au <<mailto:ntp@unsw.edu.au>> by 15 January 2010.

Momentum Program 'Boys Behind Bars'

Momentum is a current affairs program on NITV (National Indigenous Television) hosted by Julie Nimmo (*below*). The Momentum crew were in WA earlier this year to film "Boys Behind Bars" a program focusing on the over-representation of our young people within the WA criminal justice system. ALSWA CEO Dennis Eggington and Director of Legal Services Peter Collins (*below*) provided NITV with an insight into the complex issues facing our young people. For more on NITV check out www.nitv.org.au (*also pictured below is NITV's Liz Warning*)



Message from ALSWA Kununurra office

The year has seen the roll out of the trials for the Taskforce Matters. However the main component of the work has dealt with the key issues facing Aboriginal people in the East Kimberleys of racial discrimination, over policing and lack of governmental services.

The office has had good wins in racial discrimination matters in apologies and compensation for clients from services such as Hairdressers and Liquor Outlets. In undertaking various complaints against police for treatment of Aboriginal adults and children.

The Kununurra Office has initiated complaints to the Children Commissioner on the inappropriate detention of Aboriginal children in custody. Also in dealing with over policing of children in issuing of move on notices.

ALSWA has been at forefront in seeking better conditions for prisoners and their access to lawyers in the East Kimberleys. The past year has seen a hard slog for Lawyers and Court Officers of criminal matters who have shown their dedication and commitment once again. The staff of the East Kimberleys wish everyone a Happy Christmas and New Year.



Sam Dinah now a Community Minister

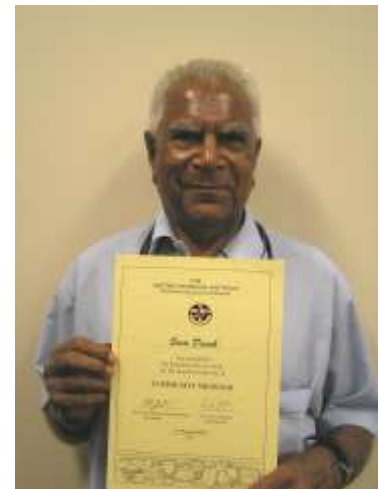
ALSWA's Prisoner Support Officer Sam Dinah has just completed the Requirements for Study for the specified Ministry of **Community Minister**.

Sam commenced his studies in August 2006 and has attended regular block training at the Yalgabinbi Bible Training College, Shalom, Thuringowa, Townsville.

He is very proud of his achievements and can now conduct certain matters associated with the church such as church services, marriages and funerals. It was an extremely proud

moment for Sam when he was awarded his certificate by the Reverend Sealin Garlett. "I felt that I'd achieved something that I'd put my heart and soul and mind into and I was very determined to complete my studies that I'd worked so hard towards" he said.

Studies will continue in 2010 as Sam works towards achieving his Associate Diploma. Training for this course has been done through the Uniting Aboriginal and Islander Christian Congress, the Uniting Church of Australia's Indigenous Ministry.



Sam Dinah with his Certificate Congratulations on a great effort Sam!

2009 Community Events

If you'd like ALSWA to set up a stall at your community event in Perth please phone our Media Officer on 08 9265 6666



Kenny Sutton, Lorretta McNamara, Georgina Boddington and Seranie Gamble at Wardarnji, ALSWA Executive Officer John Bedford speaking at Sorry Day in Perth, Ernie Dingo at Midland Swan TAFE NAIDOC event with ALSWA's Simone Clinch-MKooore, Lorretta McNamara (with grand-daughter Marley) and Leashay Eggington)



ALSWA's Noala Ryder meets WA footy champions Chris Lewis (on left) and Peter Matera (on right) at the Ashfield Family Fun Day during NAIDIC Week, Simone Clinch-Moore proudly wears the colours and Sian and Alana Dooley help out at ALSWA's Wardarnji stall



ALSWA CEO Dennis Eggington at Mirrabooka's NAIDOC celebrations, Cassie Riley, Aaron Latham, Noala Ryder and Lorretta McNamara @ NAIDOC at Ashfield and Simone Clinch-Moore, Maureen Cameron, Nathan McGuire, Rhonda Stott and Cassie Riley at Sorry Day (Perth)

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Albany

Broome

Bunbury

Carnarvon

Derby

Fitzroy Crossing

Geraldton

Halls Creek

Kalgoorlie

Kununurra

Laverton

Meekatharra

Newman

Northam

Roebourne

South Hedland

Warburton

Merry Christmas and a safe and happy new year from ALSWA!



L-R Nathan McGuire (Courier), Roxanne Blurton (Legal Secretary) Aaron Latham (Reception)



Court Officers Viv Blurton, Leashay Eggington, Kenny Sutton (Manager Court Officer Unit) Simone Clinch-Moore, Kyle Anderson, Sorgi Eggington



Right: Lorretta McNamara and Georgina Boddington Law & Advocacy Unit



Above: Perth Criminal Law Unit Dee Richardson, Vic Blurton, Wendy Hughes, Mara Barone, Katrina Lane, Dominic Brunello, Tony Hager, Andrew Tehan, Helen Muhling, Wayne Nannup, Graeme Allen, Rob Owen, Les Sanders, Andy Matthews

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