



# Law Matters

Aboriginal Legal Service of Western Australia (Inc)

SUMMER 2012 - 2013

## ALSWA Honoured with Human Rights Award

The Aboriginal Legal Service of Western Australia (ALSWA) was honoured with a 2012 Human Rights Award at the 25<sup>th</sup> Human Rights Awards, held in Sydney on 10<sup>th</sup> December. ALSWA CEO Dennis Eggington accepted the 'Community Organisation Award' on behalf of ALSWA, for which he has been CEO since 1996. Speaking after the Ceremony, he said he was extremely honoured to accept this Award on behalf of our Aboriginal Community ...



*ALSWA CEO Dennis Eggington's acceptance speech when ALSWA was awarded the Community Organisation Human Rights Award in Sydney, Rachel Ball and Phil Lynch (Law Award recipients), Gillian Triggs Australian Human Rights Commission President, Mick Gooda Social Justice Commissioner and Dennis Eggington. (Photos Courtesy Australian Human Rights Commission.)*



*Continued on page 2*

## Christmas / New Year Closure for ALSWA

ALSWA's Executive Committee, Management and Staff wish our Community members and supporters a Merry and safe Christmas and every good wish for 2013. ALSWA is closed over the Christmas and New Year period as follows:

**ALSWA WILL CLOSE ON FRIDAY 21 DECEMBER 2012**

**AND RE-OPEN ON MONDAY 7 JANUARY 2013**

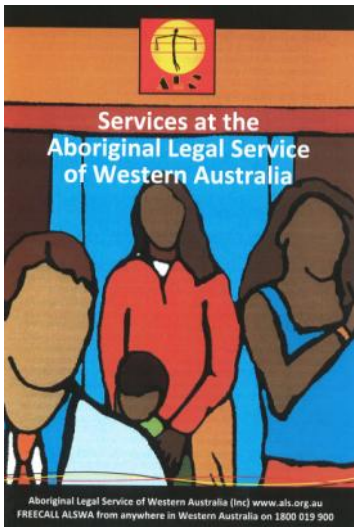
If you require **URGENT** legal advice relating to a criminal law matter during this time, please phone **ALSWA's AFTER HOURS OFFICER on 08 9265 6644.**

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### Wan't to Know More about the Law and your Rights?



ALSWA has a diverse range of pamphlets that are available for community members, group and organisations.

Topics include: Arrest, Bail, Child Protection, Community Based Orders, Conditional release Orders, Consumer Rights, Coronial Inquests, Criminal Injuries Compensation, Discrimination, Divorce, Drink Driving, Fines,

Intensive Supervision Orders, Making a Complain (against police), Parenting Orders, Prisoner's Rights, Property Damage, Property Settlement, Restraining Orders, Services at the Aboriginal Legal Service of WA, Spent Convictions, Suspended Imprisonment Orders, Violence Restraining Orders, Wills and

Young People and the Law.

If you would like copies of any of these pamphlets, please phone ALSWA's Community Legal Education Officer in Perth on 08 9265 6666 or WA Freecall 1800 019 900.

We would also like to hear from you if you are running an event that you would like ALSWA to set up a stall at.

### ALSWA Honoured with Human Rights Award



ALSWA CEO Dennis Eggington, Jeff McMullan (who accepted the Human Rights Medal on behalf of Ian Thorpe) and Michael Blurton ALSWA Executive Committee President

(Continued from page 1)

and all of the people who have worked for ALSWA over nearly four decades". This award recognises a 'non government or community based organisation with a proven track record in promoting and advancing human rights in the Australian community'.

"I am so proud that our organisation has been acknowledged with this prestigious Award and this is testament to the dedication and commitment of so many people over the years, including our current staff members at our fifteen offices throughout Western

Australia. This Award shows quite clearly that our Aboriginal and Torres Strait Islander peoples' ongoing struggle for justice and equality needs to be at the forefront of this country's human rights agenda" said Mr. Eggington.

Providing legal support and representation for Aboriginal and Torres Strait Islander peoples, ALSWA embraces a human rights based approach to it's service delivery which also includes advocacy, community and school education, lobbying and working with other key stakeholders within the justice system.

ALSWA congratulates all Human Rights Award

nominees, including Law graduate Krista McKeen who was awarded the Young People's Human Rights Medal. Krista has been assisting ALSWA with Stolen Wages applications as part of the Stolen Wages Reparation Scheme.

*The ALSWA historical mural which features on the front cover of this newsletter was created by Central Institute of Technology and David Wirrpanda Foundation 'Solid Futures' students with artist Peter Farmer*



Law Matters Newsletter Summer 2012-2013 produced by ALSWA/ Jodi Hoffmann





### Many will miss out on Stolen Wages

ALSWA IS  
GRATEFUL TO ALL  
WHO HAVE  
ASSISTED WITH  
STOLEN WAGES  
APPLICATIONS  
SINCE THE SCHEME  
WAS ANNOUNCED  
IN MARCH 2012

**THE STOLEN  
WAGES  
REPARATION  
SCHEME  
CLOSED ON 30  
NOVEMBER  
2012**

Despite lobbying by ALSWA and other concerned groups, ALSWA is disappointed that the WA Government has refused to extend the Stolen Wages Reparation Scheme deadline beyond 30<sup>th</sup> November 2012.

ALSWA wrote to the Minister for Indigenous Affairs, Peter Collier MLC, seeking an extension, but the Minister refused. "I am so sad for all of the people who will miss out on making an application, it is really disheartening that after all they have already gone through, they will be further disadvantaged through this exclusionary time limit and limited criteria for eligibility" said ALSWA CEO Dennis Eggington.

Since the scheme was announced in March 2012 ALSWA became aware of approximately 1600 people who either expressed an interest in applying, or who ALSWA believes may have been eligible to apply for the ex gratia payment of up to \$2000. "Whilst the amount offered is comparable with tea and flour, or the crumbs off of the table, it is at least some reparation for those who so greatly

contributed to the economic power afforded to this state today" said Mr. Eggington.

ALSWA says that not enough consideration was given to the enormous task of assisting people with applications. "Sadly for some, this offer came too late, however for others who were still eligible to apply, there needed to be a far greater understanding of the logistics involved in assisting people with their applications, including the vast travelling distances and the diverse language groups of eligible applicants throughout remote and regional WA". ALSWA lodged applications for approximately 700 people, which means that around 1000 people known to ALSWA will miss out. To cope with the

increased workload, ALSWA's Civil/Human Rights Unit is grateful for the support provided by Legal Aid WA, Community Legal Centres and an alliance of national law firms acting on a pro bono basis.

"Our State benefits hugely from the resource sector and it's unacceptable that the hard working Aboriginal men and women who contributed so much to this state, not only had their wages or pensions withheld, but will also miss out on reparation all these years later".

ALSWA requested that the WA deadline be extended to March 2017, making the scheme operational for five years, and bringing it into line with similar schemes in QLD and NSW, which operated for approximately four and five years respectively.



*Some of ALSWA's Civil Unit Margaret Stephens, Paul Gazia, Carla Yazmadijan, Claire Nolan, Kim Axford, Nikki Dwyer, Wendy Rea-Young*

### Premier's Book Prize Awarded for 'Justice' Book

In September 2012 *"Justice – A History of the Aboriginal Legal Service of Western Australia"* was awarded the \$25,000 Premier's Prize at the Western Australian Premier's Book Awards in Perth. Accepting the Award from WA Premier Colin Barnett was *"Justice"* author Fiona Skyring (pictured below), and the book was also named as the winner in the State Library of Western Australia WA History category.

596 entries were received nationally and judges praised the book as an "elegantly written, painstakingly researched and profoundly relevant publication" and a "must read" for all West Australians.

Dennis Eggington (pictured below), ALSWA's CEO since

1996, attended the awards ceremony and said that the *"Justice"* book was an important addition to Western Australia's history. "I am extremely proud that the forty year history of the Aboriginal Legal Service of WA (ALSWA) has been acknowledged and recognised and that our contributions to this state's justice system will now reach a wider audience. This book has been a dream of mine for a long time and it is a wonderful legacy not only for our Aboriginal communities, but the wider community also".

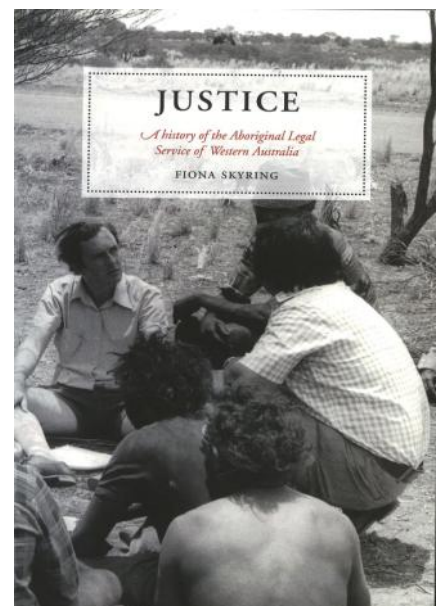
Mr. Eggington said that the organisation is indebted to all who have contributed to the *"Justice"* book and to its author Fiona Skyring for her assistance in making this dream

become a reality. "There are so many people who have played an important role over those years and this is testament to their commitment and dedication in striving for justice and advancing the rights of Aboriginal and Torres Strait Islander peoples".

In presenting the Award, the Premier said that the book made a significant contribution to understanding the changes in criminal justice and policing, and to attitudes about racial discrimination and land rights that had occurred in recent times in WA.

***"Justice – A History of the Aboriginal Legal Service of Western Australia"* was officially launched in February 2012 and is published through UWA Publishing.**

"ELEGANTLY  
WRITTEN,  
PAINSTAKINGLY  
RESEARCHED AND A  
PROFOUNDLY  
RELEVANT  
PUBLICATION AND A  
'MUST READ' FOR ALL  
WEST AUSTRALIANS"  
(WA PREMIER'S  
BOOK AWARD  
JUDGES)





### Attorney-General visits ALSWA

The Attorney-General The Hon Nicola Roxon MP visited the Aboriginal Legal Service of WA in September 2012 and commended the legal service for its role in providing quality representation to Aboriginal clients.

"The Aboriginal Legal Service is highly respected within the judicial and Aboriginal communities and they will continue to be an important and respected legal advocate in the future" Ms. Roxon said.

The Attorney-General met with ALSWA's Senior Management team of Dennis Eggington, John Bedford and Robyn Ninyette. Shane Duffy (QLD) and Priscilla Collins (NT) also



*Pictured above L-R Shane Duffy, Robyn Ninyette, Priscilla Collins, Attorney-General Nicola Roxon, John Bedford and Dennis Eggington*

attended the meeting representing the National Aboriginal and Torres Strait Islander Legal Services (NATSILS).

"This organisation reaches out to remote Aboriginal people with the same passion and

commitment to its clients in Perth" said Ms. Roxon, who also recognised ALSWA's efforts to reduce high incarceration rates of Aboriginal people.

**ALSWA is funded by the Australian Government Attorney-General's Department.**



### Performance Management Meeting at ALSWA

Rose Benyon and Marjorie Todd from the Australian Government Attorney-General's Department attended ALSWA recently for a Performance Management meeting.

Whilst at ALSWA, they had the opportunity to meet with Management and staff to discuss ALSWA's Contract, ongoing work within the justice system and how the organisation is performing generally.

ALSWA receives no funding from the Government of Western Australia but is funded entirely by the Australian Government through the Commonwealth Attorney-General's Department.



*Rose Benyon and Marjorie Todd from the Attorney-General's Department with ALSWA CEO Dennis Eggington*



### ALSWA Proud of our Young People

ALSWA CEO Dennis Eggington was thrilled to be invited to Swan View SHS to meet with Access Program students and staff in September 2012.

Sharing his own journey and background in education, media, boxing and Aboriginal community involvement, Mr. Eggington thoroughly enjoyed meeting with the staff and students.

He also discussed career pathways and the important role that ALSWA plays within WA's justice system.

"It was wonderful to meet with the young people and find out more about their studies and aspirations for the future. Education is a powerful tool and I was really inspired talking with the students and staff and finding out about the positive outcomes that are being achieved in this program" said Mr. Eggington.

"Our youth are the leaders of tomorrow and I am so proud that our young people are engaged in courses such as this which will benefit not only the students, but the wider community also".



ALSWA CEO Dennis Eggington pictured with students Back left to right: Hayden, Jake, Trey, Kevin, Dylan, Chris, Jake and Mona Yarran (Staff ACCESS), Alleisha, Brenda Larsen (Senior AIEO), Katie, Anne DeSouza (Staff ACCESS), Angela Rule (FTD Tutor, ACCESS). (Above Right) Sculptures done by the students

### Race Discrimination Commissioner Visits ALSWA

Dr. Helen Szoke, Australia's full time Race Discrimination Commissioner, visited ALSWA recently and met with ALSWA CEO Dennis Eggington and Paul Gazia, Nikki Dwyer and Marianne De Leo from ALSWA's Civil/Human Rights Unit. The meeting provided the opportunity to discuss ALSWA's ongoing work in human rights and advocacy and to find out more about Dr. Szoke's role with the Australian Human Rights Commission.



### We're here for Justice for our people says ALSWA Court Officer

Court Officers play a vital role in ALSWA's day to day operations, and Stephanie Mippy has worked tirelessly representing our people in court on a range of criminal matters since commencing work with ALSWA in December 2006.

A proud mum, Stephanie is based in Meekatharra, the largest centre in the Murchison and says that it is "rewarding to be able to be a voice for those not fortunate enough to be able to speak up for themselves". Stephanie also lets community members know about service providers who can assist in other areas, such as housing. Whilst her family ties are in Moora, Stephanie was raised in the city by her Aunt, Nan and Pop. "Literally I was about to be signed off on for adoption and my grandfather waltzed in and said he won't be letting anyone adopt his granny out. He took me

back to Moora and my aunty decided to take me and raise me away from Moora to help out her parents as they had a lot of other grandchildren". Stephanie acknowledges that it is these family members who have provided her with such a great grounding in life.

For Stephanie, her role as a Court Officer offers many rewards, and she fondly recalls a story that remains one of the driving forces behind her continuing work with ALSWA.

"One day I represented a fella for a driving matter and I spoke to him about his life and why he drove. I gave the Magistrate an extensive plea and spoke about his life and why he committed the offence, for which he received a Suspended Imprisonment Order.

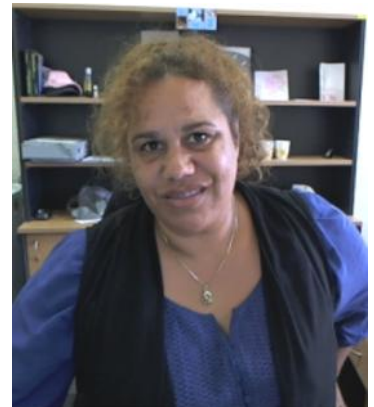
A couple of days later he came to my office and I wasn't in the best of moods as I was

fighting with technology trying to set up the new printer. I was extremely touched and overwhelmed when he said *"I just want to say thank you for representing me. No one has ever spoken up for me like that and I really appreciate all the effort you put into it for me. Please don't ever leave ALS because what you did for me was solid and because of you I can get my life on track."* I thanked him profusely and to this day, he has not re-offended".

Stephanie says that it is reasons like this that she stays at ALSWA.

"I have been able to do what I do so well because of the opportunity I was first given by ALSWA.

It's important we all work together as we are here for Justice for our people and we can't do this without each other's support and help" she said.



Meekatharra Court Officer  
Stephanie Mippy

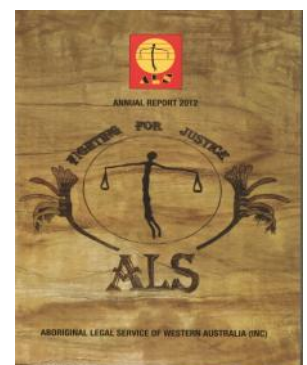


For Stephanie, honesty and loyalty are important attributes in a person and in her spare time she enjoys spending time with her family, painting, cooking and having a laugh.

### 2012 ALSWA Annual Report: Limited Editions Still Available

The 2012 Annual Report of the Aboriginal Legal Service of Western Australia was presented at the Annual General Meeting of ALSWA in December 2012.

The cover artwork is an excerpt from a 2.7 metre long marri table, woodburnt for ALSWA by Central Institute of Technology/David Wirrpanda Foundation 'Solid Futures' students in 2011. This Annual Report can be viewed on ALSWA's website at [www.als.org.au](http://www.als.org.au) or for a hard copy of the report please phone **1800 019 900**.





### 2012 ALSWA Staff Conference - Perth

Over one hundred staff representing ALSWA's fifteen statewide offices, gathered in Perth for a Staff Conference in November 2012.

Facilitated by Grant Sarra, a Consultant Manager with special expertise in Cultural Management, the conference included training and professional development workshops and guest speakers including ALSWA Executive Committee President Michael Blurton, Chief Justice Wayne Martin, Dr. Diana Eades, Magistrate Catherine Crawford and Judge Patrick O'Neal.

ALSWA CEO Dennis Eggington expressed his pride that the organisation played such a vital role in WA's Justice system and commended the efforts of all staff for their ongoing dedication and commitment.



*Photos from the ALSWA Statewide Staff Conference*



### Jolene Farrell - The Friendly Face at the Front Desk

Noongar woman Jolene Farrell is usually the first person you'll see when you visit ALSWA's Head Office in Perth.

Our Receptionist since 2010, she does a fantastic job managing ALSWA's busy switchboard, greets clients and visitors and receives incoming police documents, such as Disclosures and other legal documents.

Another part of Jolene's role is raising the Aboriginal flag each morning that flies at the front entrance to ALSWA in Aberdeen Street, Perth.

"The best thing that I like about working with ALSWA is that I'm working for an Aboriginal organisation, as well as working in an environment with friendly work colleagues.

It's important for me to be doing something that is helping our people" says Jolene, a very family orientated woman.

"Most of my time outside of work hours is spent socialising with my family, shopping of course, listening to music, watching movies or TV and the AFL" said Jolene, a Fremantle Dockers fan.



*Jolene Farrell*

### Hannah Wang - Making Sense of Finance

Hannah Wang joined the ALSWA team midway through 2011 and is our Senior Finance Officer.

Originally from China, Hannah enjoys her work within ALSWA's Accounts and Finance Department which involves maintaining accounts and superannuation contributions.

"It's a very easy going working environment with friendly colleagues to work with" she says.

Hannah believes it's rewarding to work in such a happy environment.

"We normally spend most of our time within a work environment so it's nice to enjoy what you do".

When she not working, Hannah spends time with her family. "Family is very important to me and in my leisure time I also enjoy outdoor activities and playing badminton".

Hannah Wang is greatly valued for the contributions that she makes to the Aboriginal Legal Service of Western Australia.



*Hannah Wang*



**Law Matters returns to the airwaves in February 2013**

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

**TUNE INTO LAW MATTERS**

**every second Wednesday**

**11.00 am - 12.00 noon**

*(Repeated Sunday nights at 9.00pm)*

**on 100.9 FM Noongar Radio**





### From the Kitchen of Mark Olive - 'The Black Olive'

#### Kangaroo Cigars with Native Yoghurt Sauce

1 tbs olive oil  
1 small brown onion  
2 tsp ground cumin  
1 tsp ground coriander  
½ tsp allspice  
¼ tsp ground cinnamon  
300g kangaroo mince  
Juice of 1 large lemon, plus its grated rind



2 tbs pine nuts, toasted  
½ cup fresh mint leaves, chopped  
10 sheets filo pastry  
Olive oil cooking spray  
200g thick Greek yoghurt  
1 tbs Sea Parsley  
½ tbs Rivermint  
½ continental cucumber, grated (optional)

#### METHOD:

Heat oil in a frying pan and cook the finely chopped onion until soft. Add cumin, coriander, allspice, cinnamon and Sea Parsley and cook for another minute til fragrant.

Add mince and cook until thoroughly browned. Stir in lemon juice and lemon rind and let simmer for 2 minutes. Once mixture is cool, stir in the pine nuts and half the fresh mint.

Preheat oven to 200 degrees Celsius and line some baking trays with baking paper.

Place a sheet of filo pastry onto a flat surface. Spray with olive oil and fold in half (bringing the shorter edges together). Cut in half.

Spoon 1 tbs of the meat mixture onto each piece of filo, making sure you leave 2cm border on each side. Fold in the sides and roll into a cigar shape to envelope the mixture. Place on prepared trays. Repeat with remaining ingredients, then brush with egg wash, milk or oil before baking in the oven for 15 minutes, until golden and crisp.

Mix yoghurt with the remaining fresh mint, Rivermint and grated cucumber (if using), adding salt and pepper to taste.

To serve, place filo pastries on a plate with salad and the yoghurt sauce. For added garnish, sprinkle with ground Kutjera.  
(Makes approximately 20)

**These and more recipes at [www.blackolive.net.au](http://www.blackolive.net.au)**

#### Mini Pavlovas with Wattleseed Infused Cream & Quandong Sauce

4 mini pavlovas (pre-prepared)  
200mls thickened cream  
1 punnet strawberries  
1 punnet blueberries  
1 banana



Rivermint  
Fresh mint leaves  
2 tablespoons ground roasted wattleseed  
½ cup quandong sauce  
2 ½ tablespoons Galliano liqueur

#### METHOD:

Steep roasted wattleseed into a large mug of hot water and set aside to cool.

Whip cream until almost peaking, add cooled wattleseed mixture and whip until the cream peaks and firms. Peel and slice banana. Wash strawberries and blueberries.

In a bowl, combine quandong sauce and Galliano.

To prepare the dessert plate, place a dollop of the wattleseed cream underneath the pavlova to avoid it sliding off the plate. Pipe or spoon more cream on top of the pavlova and adorn with fruits.

To garnish, scatter more blueberries around the plate along with quandong sauce, rivermint and one fresh mint leaf.  
(Serves 4)

*\*Recipes reproduced with permission from Black Olive Catering*





*Merry Christmas  
and a safe and Happy New Year  
With Best Wishes from the Staff of the  
Aboriginal Legal Service of Western Australia*



## **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)**