



# LAW MATTERS

Aboriginal Legal Service of Western Australia

WINTER/SPRING 2011

## National Congress meeting marks new beginnings



The first elected board of the National Congress of Australia's First Peoples took office during their first official meeting in Sydney during NAIDOC Week (8 July 2011).

ALSWA CEO Dennis Eggington joined fellow Directors Jody Broun and Lez Malezer (Co-chairs) and Tammy Solonec, Brian

Butler, Venessa Curnow, Rod Little and Daphne Yarram (pictured above), all of whom were elected by Members and Delegates of the National Body.

The National Board has identified critical areas of work ahead which include:

"Our top priority is our people: building on our

existing membership base; Ensuring any constitutional reform accords with the aspirations of Aboriginal and Torres Strait Islander peoples; Ensuring that our peoples and communities voice is heard during consultations on the Northern Territory Emergency Response; and further to that, the Congress establishes a formal position on the future of Federal Government policies and investment under this program in the Northern Territory; Publishing the final report of the National Congress meeting; Publishing the membership survey on policy priorities".

**More information at**  
[www.nationalcongress.com.au](http://www.nationalcongress.com.au)  
 or Facebook at  
[www.facebook.com/congressmob](http://www.facebook.com/congressmob)



National Congress Chamber 2 Director Dennis Eggington  
 Photos courtesy of National Congress

## Legal information on the Noongar Radio airwaves

WA Chief Justice Wayne Martin and Tony Walley (Manager, Aboriginal Advisory Services, Court and Tribunal Services) were special guests on "Law Matters" during NAIDOC Week. Produced and presented by the Aboriginal Legal Service of WA (ALSWA) this fortnightly one

hour radio program provides a greater insight into Australia's justice system, people working within it, and the legal support and representation provided by ALSWA. Hear "Law Matters" every second Wednesday 11am-12 noon on 100.9FM 6NME (Repeated Sundays at 9pm)



Tony Walley and WA Chief Justice Wayne Martin at Noongar Radio

### Inside this issue:

- NATIONAL CONGRESS LAW MATTERS ON RADIO 1
- RCIADIC 20 YEARS ON CEO'S LEADERSHIP AWARD 2
- NEW PRESIDENT FOR ALSWA 3
- JUSTICE REINVESTMENT NAIDOC WEEK IN PERTH 4
- NOONGAR DANDJOO COMMUNITY EDUCATION 5
- DOING TIME REPORT ALSWA POSITIONS VACANT 6
- LEGAL SERVICES UNITE NATIONAL NAIDOC WEEK 7

## Prestigious Leadership Award to ALSWA CEO

THERE ARE SO MANY PEOPLE INCLUDING MY FAMILY, FRIENDS AND PROFESSIONAL PEERS WHO HAVE INSPIRED ME ALONG THE WAY

Adjunct Professor Dennis Eggington has been awarded the prestigious Indigenous Leadership Award at the 2011 WA Citizen of the Year Awards.

Speaking after the announcement in May, ALSWA's CEO said he felt extremely humbled. "To receive the Award was a great honour in itself, however, to be named in the company of fellow nominees (Dr. Mark Bin Bakar, Mr. Jim Morrison and Dr. Pantjiti Mary McLean) is an even bigger honour".

The Award acknowledges the professional and personal achievements of

Mr. Eggington who has been CEO of ALSWA since 1996. With a Masters of Human Rights Education, he has been a strong advocate in advancing the rights of Aboriginal and Torres Strait Islander peoples for almost forty years. "If I look back over my own career there are so many people including my family, friends and professional peers who have inspired me along the way. I feel extremely fortunate to have made so many lifelong friendships throughout the country because it is our shared experiences that have helped to shape the person I am today.



There are so many people working tirelessly in our communities and this award is also testament to the great work done by our dedicated team at ALSWA".

(Photo courtesy of Celebrate WA)

## 'New look' legal pamphlet range in final stages

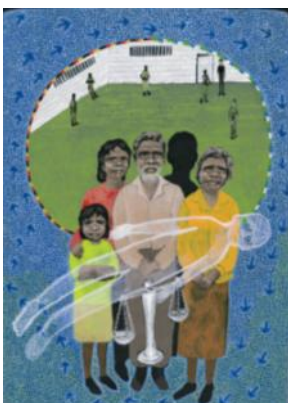


ALSWA is in the final stages of completing its 'new look' pamphlets which contain information on specific legal topics and services provided by the Commonwealth funded ALSWA. Acclaimed Noongar artist Peter Farmer has designed the eye-catching images that will feature on the cover of the pamphlet range, which will be launched later this year.



Artist Peter Farmer (on right) and Graphic Designer Jason Hirst pictured with early drafts of artwork to feature on ALSWA's pamphlet range

## 269: the number of Aboriginal deaths in custody since RCIADIC



15th April 2011 marked 20 years since the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) Report was released in 1991. Since that date, 269 people have died nationally in custody. ALSWA is appalled that WA has the highest percentage incarceration rate of Aboriginal people in the

nation given that Aboriginal people make up only 4% of the state's population. "As WA prepares for CHOGM it may wish to reflect upon its disgraceful human rights record in relation to custodial deaths of Indigenous West Australians" said John Bedford, ALSWA Executive Officer speaking as Acting CEO in April this year.

The 'Doing Time - Time for Doing' Report tabled in Parliament in June 2011 found that the incarceration rate of young Aboriginal people was higher now than twenty years ago. (more information page 6)

ALSWA 2007 Artwork on left by Perth based Badimaya artist Julie Dowling

## New President for Aboriginal Legal Service of WA

Yamatji woman Lorraine Whitby is the newly elected President of ALSWA's Executive Committee. One of two Candidates representing the Murchison/Gascoyne Region, Mrs. Whitby has a long association with ALSWA's 16 Member Board and has also previously represented the Central/Metro region. Voted in at the recent inaugural meeting of newly elected Committee Members Mrs. Whitby has embarked upon her new role with great enthusiasm and pride. "I am happy to be committed for the next three years to achieve what I perceive as the best outcome for the organisation which will include governance changes so that the organisation can meet and fulfil future opportunities. I am also grateful to ALSWA members who showed confidence in me through my re-election and Executive Committee Members who have placed their faith and trust in my leadership skills and ability" said Mrs. Whitby.

With a long-standing involvement on ALSWA's Committee, Mrs. Whitby has gained a greater insight into the complexity of issues facing many Aboriginal and Torres Strait Islander peoples who come into contact with the justice system. "I want to be a part of the solution and ensure that our own Culture and family values remain strong for the benefit of our future generations. ALSWA plays a major role within this State's justice system and I have a great interest and commitment to addressing the issues that impact upon our Cultural survival now and for our future generations".

ALSWA CEO Mr. Dennis Eggington said that the organisation was looking forward to working with the newly elected Board. "Our Executive Committee Members each bring a wealth of experience to their roles in representing their Communities. As a peak organisation in this State's justice system we know that they will make invaluable

contributions not only to our own organisation, but to the Communities which they also represent" said Mr. Eggington.

### ALSWA new Committee is:

**Lorraine Whitby** (Murchison Gascoyne Region) PRESIDENT, **Kathleen Musulin** (Murchison Gascoyne Region), **Michael Blurton** (Central/Metro), **Murray Yarran** (Central/Metro), **Fay Sambo** (Goldfields Region), **Ian Tucker** (Goldfields Region) TREASURER, **Beverly Thomas** (Central Desert Region), **Preston Thomas** (Central Desert), **Arthur Slater** (Southern Region) VICE PRESIDENT, **Trevor Eades** (Southern Region) **John Green** (East Kimberley Region), **Trevor Bedford** (East Kimberley Region), **Kevin George** (West Kimberley Region), **Kathy Watson** (West Kimberley Region) SECRETARY, **Phyllis Simmons** (Pilbara), **Shane Derschow** (Pilbara Region).



ALSWA's new President  
Lorraine Whitby

I WANT'TO BE A  
PART OF THE  
SOLUTION AND  
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REMAIN  
STRONG

## Truth, Justice and Healing for Stolen Generations

Sorry Day (26 May) in Perth was attended by thousands, as people gathered in honour of our Stolen Generations. This annual event is organised by the Bringing Them Home Committee (WA) and provides an opportunity for community members, organisations and schools to attend as we reflect upon the strength and resilience of our Stolen Generations. As part of this event, ALSWA set up a stall with community legal information.



Clockwise: Guest speaker David Wirrpanda, ALSWA's stall with Margaret Stephens, Darlene Summers and Thomas Quayle, Dennis Eggington with granddaughter Shayla Eggington and David Wirrpanda, Choir performance of 'Sorry Song'



3-10 JULY 2011 | **Change:**  
the next step is ours

## NAIDOC Week 3 - 10 July 2011



NAIDOC Week provides a wonderful opportunity to catch up with friends and family and share in the celebrations of our Culture. It's also an ideal time to promote ALSWA's services within our community.

This year ALSWA set up community legal stalls at the official Perth Opening Ceremony in Wellington Street Square (organised by NAIDOC Perth), City of Armadale NAIDOC celebrations at the Champion Centre and the Ashfield Reserve Family Fun Day organised by Derbarl Yerrigan Health Service and the Town of Bassendean.

Events were also attended in regional WA by staff from ALSWA country offices.

### ALSWA congratulates the 2011 NAIDOC Perth Award recipients:

**Outstanding Achievement** Annette Panaia

**Male Elder** Ben Taylor

**Female Elder** Yurleen Dorothy Winmar

**Not for Profit Organisation** Aboriginal Alcohol and Drug Service

**Business** Outlaws Mexican Restaurant

**Carer** Sharn Sorrell

**Tertiary Scholar** Chantel Thorn

**Artist** Phillip Walley-Stack

**Sportsperson (Male)** Ashley Spratt

**Sportsperson (Female)** Amla Sathasivam

**Youth (Male)** Aidan Smith

**Youth (Female)** Madeline Anderson



### NAIDOC celebrations at Ashfield

Pictured at ALSWA's stall (top): ALSWA's Kim Houston, Jodi Hoffmann, Helen McCartney.

Above Performers Dave Arden, Archie Roach and son Amos, ALSWA's Darlene Summers and Kim Houston

Right: Yabu performing at Ashfield



## ALSWA documentary on Justice Reinvestment



ALSWA is currently filming a documentary about Justice Reinvestment which is a relatively new concept here in Australia.

Originating in the United States, Justice Reinvestment has already been acknowledged by many

people as an effective approach in dealing with the over-representation of Indigenous peoples within the criminal justice system.

The documentary will feature interviews with

community, legal and political representatives and will be completed later this year. ALSWA is supportive of the important role that Justice Reinvestment can play as a diversionary approach within the justice system.

### DVD to promote Indigenous employment

ALSWA's Jack Calyun was recently interviewed by film makers visiting Perth who are creating a new chapter within an existing DVD.

The DVD promotes the DEEWR Workplace English Language and Literacy Program and the Indigenous Employment Program. Jack was invited to be a part of filming to discuss his work with ALSWA which

commenced late last year while Jack was a 'Solid Futures' student with the David Wirrpanda Foundation/Central Institute of Technology.

Jack commenced his employment with ALSWA working on Reception at Head Office in Perth and now works as an ALSWA Court Liaison Officer at Perth Magistrates Court.



ALSWA Court Liaison Officer Jack Calyun being interviewed for the DVD

### Noongar Dandjoo investigates Indigenous Incarceration

Noongar Dandjoo is a series of television programs made by students at Curtin University in collaboration with the Curtin Centre for Aboriginal Studies and the wider Perth Aboriginal community.

The third series is currently in production and one of the topics being covered is Indigenous Incarceration.

As part of this series, ALSWA CEO Dennis Eggington was interviewed by 3rd year student Tanya Evans to provide an overview of the issues facing Aboriginal and Torres Strait Islander peoples within the criminal justice system.

Noongar Dandjoo Series 3 is scheduled to be ready for broadcast in early 2012.



ALSWA CEO Dennis Eggington with students Tanya Evans (interviewer) and Murugan Silvam (camera operator)

### Social Work students gain insight into ALSWA

Social Work students from Curtin University visited ALSWA recently to gain an insight into ALSWA's role within WA's justice system. As part of their 'Working in Indigenous Australian Contexts' Unit, through the Centre for Aboriginal Studies (CAS), the visit provided the group with a greater understanding of ALSWA's history, structure, and the complex issues facing many Aboriginal people. ALSWA's John Bedford ALSWA Executive Officer, Robyn Ninyyette,

Darlene Summers and Jodi Hoffmann met with the students to discuss ALSWA's operations, vital role within the justice system and the importance of Aboriginal organisations in addressing the needs of Community members. "It's great that people are interested in finding out about ALSWA and I hope this visit proves beneficial for the students in their future studies and employment" said Mr. Bedford ALSWA Executive Officer.



Students Perry Mulando, Sylvia Hanna, Janelle Morgan, Amanda Meyn, Carly Parker, Tracey Peter, Cherith Masters pictured with ALSWA staff John Bedford, Robyn Ninyyette, Darlene Summers and Kim Houston

## Broome Celebrates NAIDOC Week



ALSWA's Broome office shared in the celebration of NAIDOC Week by taking part in the Department of Corrective Services, Jimbin Gabu (Inside Out) event in the Broome Courthouse Gardens. ALSWA Court Officer Margie Ugle (on left) described NAIDOC Week as a very special annual nationwide event. "It recognises and acknowledges our people's culture and heritage in

today's society and it also recognises and respects that we are not a forgotten race of people. Since NAIDOC was established I believe this event has given us strength and courage to build bridges between our people and the non-Indigenous people. Living in Broome where there is a multicultural race of people I have seen the respect and acknowledgement that makes NAIDOC in this town very special and unique".

## Jailing our children is failing our children says ALSWA

**"DOING TIME  
TIME FOR  
DOING" Report**  
Tabled in  
Parliament on 20th  
June 2011  
Download Report  
from

<http://www.aph.gov.au/house/committee/atsia/sentencing/index.htm>

The Australian justice system remains in a penal colony mindset, with the rate of Indigenous children being imprisoned continuing to increase. ALSWA CEO Dennis Eggington said that a complete overhaul needs to be implemented to ensure that Indigenous children are not further disadvantaged by the current juvenile justice system. ALSWA says that current WA legislation and the over-policing of Aboriginal people contributes to Indigenous people being 28 times more likely to be imprisoned than non-Indigenous counterparts. Mr. Eggington's comments follow on from the 'Doing Time-Time for Doing' Report, tabled in June 2011 by the Standing Committee on

Aboriginal and Torres Strait Islander Affairs.

"It is a national disgrace and totally unacceptable that twenty years on from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) the incarceration rate of our young people is higher now than it was then. As First Nations peoples of this country, we should be afforded the basic human right of having healthy and happy families. Our children and our Communities should not have to continue suffering because of the failures of past and present governments" said Mr. Eggington.

"The current system of jailing our children is failing our

children. There needs to be a stronger focus on the use of cautions, diversionary programs and justice reinvestment and a greater understanding by law enforcers of the marginalisation faced by Indigenous peoples".

Mr. Eggington urged the government to embrace the opportunity to work with Aboriginal Community members and other key stakeholders within the justice system to ensure the cycle of despair could be broken. "Without a fresh approach, we'll continue to see our kids receive a life sentence through the subsequent institutionalisation which results from early incarceration".

## POSITIONS VACANT at the Aboriginal Legal Service of WA

**LEGAL SECRETARY** Grade1-2 (ALSWA Geraldton Office) Full Time and/or Casual Pool  
**LEGAL SECRETARY** Grade1-2 (ALSWA South Hedland Office) Full Time and/or Casual Pool  
**LEGAL SECRETARY** Grade1-2 (ALSWA Broome Office) Full Time and/or Casual Pool

Legal Secretary enquiries: Helen McCartney on 08 9265 6954 or [hmccartney@als.org.au](mailto:hmccartney@als.org.au)

**PERSONNEL/PAYROLL OFFICER** Grade 2-4 (ALSWA Perth Office) Full Time Fixed Term

Personnel/Payroll Officer enquiries, Duty Statement, Application Form: Sue Howard on 08 9265 6609 or [showard@als.org.au](mailto:showard@als.org.au)

**CLOSING DATE FOR ALL APPLICATIONS: C.O.B. Monday 26th September 2011**

Positions Vacant at the Aboriginal Legal Service of WA can also be viewed online at [www.als.org.au](http://www.als.org.au) under 'Employment'

## 2011 National NAIDOC Award winners

The 2011 National NAIDOC Awards were announced at the National NAIDOC Awards Ceremony and Ball in Sydney on Friday 8 July.

The Lifetime Achievement Award went to respected Elder Ned Cheedy from Western Australia for his tireless commitment to caring for Yindjibarndi law, country, culture, language and the future of the Yindjibarndi people.

Attending the Sydney Awards Ceremony was ALSWA CEO Dennis Eggington, who, as the 2010 recipient of the 'Person of the Year' Award presented the 2011 recipient Terri Janke with her Award.

**2011 National NAIDOC Award winners are:**

**Lifetime Achievement**

**Award:** Ned Cheedy (WA)

**Person of the Year:** Terri Janke (NSW)

**Elder of the Year (Female)**

Carolyn Briggs (VIC)

**Elder of the Year (Male)**

Eldridge Mosby (Torres Strait Island)

**Caring for Country**

**Award:** Warru Recovery Team (SA)

**Youth of the Year:** Kiel Williams-Weigel (QLD)

**Artist of the Year:** Robyn Djunginy (NT)

**Scholar of the Year:** Professor Lester-Irabinna Rigney (SA)

**Apprentice of the Year:** Joshua Toomey (NSW)

**Sportsperson of the Year:** Preston Campbell (QLD)



L-R Terri Janke 2011 National NAIDOC Person of the Year pictured with ALSWA CEO Dennis Eggington 2010 National NAIDOC Person of the Year at the National NAIDOC Awards in Sydney in July

*Image courtesy of National NAIDOC. Photographed by Wayne Quilliam*

## Aboriginal Legal Services shares knowledge

Earlier this year the North Australian Aboriginal Justice Agency (NAAJA) hosted a two day meeting attended by legal representatives from the Northern Territory and Central and Western Australia. The sharing of knowledge took place as Advocacy and legal staff from the Aboriginal Legal Service of WA (ALSWA) and Central Australian Aboriginal Legal Aid Services (CAALAS) gathered at NAAJA's new offices in Darwin, to discuss key issues facing our people in the justice system. NAAJA CEO Priscilla Collins said the meeting provided an invaluable opportunity for each agency to focus on areas including law reform, prisoner support, bush courts, remote tenancy issues, alcohol reforms and parole. "We may be geographically dispersed, but many of our staff work in similar roles so it's extremely beneficial for us all to share our knowledge and keep informed about the work that each agency undertakes". With NAAJA and CAALAS both being Territory based, the gathering also provided a forum for ongoing discussion about the Northern Territory Emergency Response (NTER) and responding to the Review of the Youth Justice Act (NT). "Our staff work in roles that are incredibly diverse, both in nature and location and there are many positives that flow on from strategic meetings such as this. I'm proud of the efforts of our staff and of their commitment and dedication. As individuals championing the needs of our communities we can achieve good outcomes but as a team sharing each others knowledge we can become a powerful force for positive change" said Ms. Collins.



Jared Sharp, Ben Grimes NAAJA, Tanya Pass CAALAS, Will Crawford, David Woodroffe NAAJA, Seranie Gamble ALSWA, PLO Mark O'Reilly, Shanna Satya CAALAS, Priscilla Collins NAAJA CEO, Dorothy Fox NAAJA Chairperson, Mary LeRossignol CAALAS Board, Robert LeRossignol CAALAS Chairperson

*Photo Jodi Hoffmann ALSWA*

# Law Matters

**Tune into 6NME Noongar Radio 100.9FM**

**Every second Wednesday 11am-12 noon**

*(Repeated Sundays at 9.00 pm)*

Produced and presented by the  
Aboriginal Legal Service of WA



Law Matters guests pictured at the Noongar Radio Studios in Perth (clockwise from top): ALSWA's Dennis Eggington, Kenny Sutton, Monica Collard, Robyn Ninnette, Jack Calyun, Jolene Farrell, Kim Axford, Kristy Gaunt, Chief Justice Wayne Martin (speaking on Law Matters during NAIDOC Week), ALSWA's Seranie Gamble, Margaret Stephens

*Missed a program?*

Hear Law Matters online at [www.als.org.au](http://www.als.org.au)

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