



Law Matters

Aboriginal Legal Service of Western Australia (Inc)

WINTER 2013

Perth Host City for NAIDOC Celebrations!

The Aboriginal Legal Service of WA (ALSWA) encourages people to embrace the celebrations during NAIDOC Week and make the most of the events on offer.

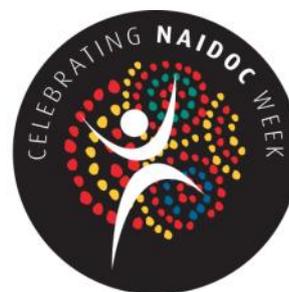
“Perth is the Host City for NAIDOC Week this year, and it is fantastic that the eyes of the nation will be on Noongar Country as we commemorate this significant week with our brothers and sisters from around the country” said ALSWA CEO Dennis Eggington.

Whilst ALSWA services will operate as usual, staff will

also be out participating in community events and setting up community legal education stalls.

“NAIDOC Week is such an important week on our calendar and we will have stalls at many of the week’s events, to ensure that our promotional materials and legal information is accessible for our Communities”.

“We look forward to seeing you at ALSWA’s stalls at the Perth Opening Ceremony, and other NAIDOC celebrations, including Mirrabooka, Armadale and Ashfield” said Mr. Eggington”.



7 - 14 July
2013

We value the vision:
**YIRRKALA BARK
PETITIONS 1963**

**2013 NAIDOC Perth Award
Winners announced (see page 2)**

Lotterywest Grant creates a fresh look for ALSWA



Thanks to a Lotterywest grant, Aboriginal Legal Service of Western Australia (ALSWA) offices in Perth and Kununurra will receive a long overdue refurbishment.

During a special function at ALSWA’s Perth head office in June, the presentation of the grant was warmly welcomed by ALSWA’s Executive Committee, management and staff, who know only too well that the organisation has had to make-do with available furnishings and equipment since its inception almost forty years ago. *Continued on page 5*

ALSWA Executive Committee President Michael Blurton receives the Lotterywest cheque from WA Minister for Aboriginal Affairs Peter Collier

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ALSWA Congratulates NAIDOC Perth Award winners



The NAIDOC Perth Logo was created in 2008 by Helena Chestnut; the winner of an art competition. The snake surrounding the words "NAIDOC Perth" is significant in that it represents the Wagyl. The Balga Bush was included because it is significant and iconic to the Perth and surrounding areas. (Source: NAIDOC Perth website)

**MORE INFORMATION
ON NAIDOC WEEK AND
AWARD WINNERS AT
www.naidocperth.org/**

- OUTSTANDING ACHIEVEMENT**
Kyle Morrison
- COMMUNITY PERSON OF THE YEAR**
Angela Ryder
- MALE ELDER OF THE YEAR**
Albert Knapp
- FEMALE ELDER OF THE YEAR**
Jean Boladeras
- NOT-FOR-PROFIT ORGANISATION OF THE YEAR**
Derbarl Yerrigan Health Service
- BUSINESS OF THE YEAR**
G Cole Consulting
- CARER OF THE YEAR**
Sam and Valerie Miller
- TERTIARY SCHOLAR OF THE YEAR**
Aleisha Johns
- SPORTSPERSON OF THE YEAR**
Larissa Bennell
- ARTIST OF THE YEAR**
Ashley Collard
- MALE YOUTH OF THE YEAR**
Dylan Collard
- FEMALE YOUTH OF THE YEAR**
Kelsi Forrest



2013 NAIDOC Perth Award Winners (Absent- Dylan Collard, Sam & Valerie Miller)

Photo by Tash Nannup courtesy of NAIDOC Perth

Senate Inquiry calls for Justice Reinvestment approach

A recent Senate inquiry has called for Australia to adopt a justice reinvestment approach to criminal justice. In June the Senate Legal & Constitutional Affairs Committee tabled its report, *Value of a justice reinvestment approach to criminal justice in Australia*, following months of consultations and hearings around the country. ALSWA has supported justice reinvestment for a number of years, and contributed to the submission made by the National Aboriginal and Torres Strait Islander Legal Services (NATSILS). In addition, ALSWA CEO Dennis Eggington, and ALSWA Director of Legal Services, Peter Collins,

appeared before the Committee in April, and Mr. Collins' evidence was cited in both the report and the tabling speech in the Parliament.

A justice reinvestment approach would see some of the funds spent on imprisonment diverted to prevention and early intervention programs in communities where there is a high concentration of offenders. By redirecting money to education, health and other programs and services that seek to address the underlying causes of offending, a justice reinvestment approach would empower local Aboriginal communities

and help to strengthen Aboriginal families. This model has been successful overseas, resulting in a significant reduction in imprisonment rates and improvements in social outcomes in target communities, without an additional cost to government. ALSWA hopes that the renewed debate sparked by this Senate inquiry will encourage the WA Government to provide increased support for effective programs for offenders and their families.

The Senate Inquiry report, as well as NATSILS' submission and the public transcript, are available through the website: www.aph.gov.au



ALSWA CEO Dennis Eggington

(photo by Robert Frith Acorn
Photography courtesy Lavan Legal)

Sattler sacking long overdue according to ALSWA

ALSWA welcomed the news that WA shock jock Howard Sattler had been sacked in June following recent offensive on-air comments.

"Sattler has been getting away with his controversial and sensationalist broadcast style for far too long and his removal from the airwaves, whilst long overdue, is wonderful

news" said ALSWA CEO Dennis Eggington.

"I am thrilled that the disrespectful comments to (then) Prime Minister Gillard have led to his sacking and given the nation an insight into what WA audiences have had to endure from this broadcaster".

Mr. Eggington said that the shock jocks' on-air taunts had distressed, offended, ridiculed and

marginalised many people over the past three decades, and that Aboriginal people were frequently targeted and vilified by Sattler and some of the talkback callers he endorsed on his program.

"His disgraceful comments have been the subject of numerous complaints over the years and for many Aboriginal people his



radio programs will be remembered for denigrating others, reinforcing negative stereotypes and inciting racial hatred.

"I'm sure his sacking will be rejoiced by many" said Mr. Eggington.

Law Matters

Office of the Inspector of Custodial Services

The Office of the Inspector of Custodial Services (the Office) is an independent statutory body that provides external scrutiny to the standards and operational practices of custodial services in Western Australia.

The Office aims to contribute directly and indirectly to improving public confidence in the justice system, reducing re-offending in WA, and ensuring the justice system provides value for money.

Joseph Wallam has worked with the Office as a Community Liaison Officer (CLO) since it began operation in 2000. As a Nyoongar man, he is committed to creating community and organisational networks with other key stakeholders working within the justice system in this state.

Joseph was joined by Andrew Harvey, Deputy Director of the Office, on a recent ALSWA 'Law Matters' program on 6NME Noongar Radio where both

provided a greater insight into their work and the role that the Office plays in inspecting WA prisons, detention centres, court custody centres and prescribed lock ups. ALSWA welcomed the opportunity to speak with the Office and find out about their work and current reports.

Completed Reports and Reviews made by The Office of the Inspector of Custodial Services can be viewed on their website at:

www.custodialinspector.wa.gov.au



Pictured on left:

Andrew Harvey (Deputy Director, Office of the Inspector of Custodial Services) and Joseph Wallam (Community Liaison Officer with the Office), on ALSWA's 'Law Matters' program on 6NME Noongar Radio

TUNE INTO LAW MATTERS

Produced and presented by the Aboriginal Legal Service of WA

on 6NME Noongar Radio 100.9FM
Fortnightly on Wednesdays 11am to 12 noon
(repeated Sunday nights)



Lotterywest grant creates a fresh look for ALSWA

Continued from page 1



Above:

*ALSWA Executive Committee
President Michael Blurton and
ALSWA Chief Financial Officer
Tina Ward*

ALSWA CEO Dennis Eggington said it was wonderful for the organisation to be acknowledged for its work within the Community and gratefully acknowledged Lotterywest and their Board Member Ray Bennett for their ongoing support. “This grant means a great deal to our organisation for it enables ALSWA, a not-for-profit community organisation, to have access to infrastructure and facilities that we couldn’t afford to fund ourselves. Lotterywest must be commended

for supporting communities in WA” he said.

Following a Nyoongar Welcome by Murray Yarran of ALSWA’s Executive Committee, Executive President Michael Blurton was presented with the \$316,175 cheque by WA Minister for Aboriginal Affairs, Hon Peter Collier.

In accepting the cheque, Mr. Blurton spoke of the organisations’ strong history in providing much needed legal support and representation for Aboriginal and Torres

Strait Islander peoples at its fifteen statewide offices.

Peter Collier said that the grant will help ensure that ALSWA is able to keep up-to-date with the amenity offered by other law firms. “Their (ALSWA’s) work is very important to Western Australia, ensuring that those who need representation can access it. In addition, ALSWA is often a conduit between the Government and Aboriginal people on issues of law and justice, a role that can’t be underestimated” the Minister said.



(Left to Right): Cliff Weeks Director Department of Aboriginal Affairs, Hon Peter Collier Minister for Aboriginal Affairs, Dennis Eggington Chief Executive Officer Aboriginal Legal Service of Western Australia, Michael Blurton President Aboriginal Legal Service of Western Australia Executive Committee, Ray Bennett Lotterywest Board Member, Murray Yarran ALSWA Executive Committee Member

Sorry Day



26th May was national Sorry Day and ALSWA urged fair minded Australians to learn about the wrongs of the past and acknowledge our Stolen Generations for their strength and resilience.

ALSWA CEO Dennis Eggington said the forced removal of children had created a tragic inter-generational legacy for many Aboriginal people, the effects of which are still evident today. "Many of the clients accessing ALSWA's services have been personally affected through removal policies of the past, and I have no doubt that this continues to contribute to the spiralling over-representation of

Aboriginal people within the court and prisons systems" said Mr. Eggington.

He said that Sorry Day, played an important role in maintaining a focus upon our Stolen Generations, their heartache, courage and resilience. "Family is so important in our Culture and it is an absolute tragedy that so many of our families have been fractured. We can't turn back the hands of time, but as a maturing nation, we can certainly do everything in our power to ensure that our true history is acknowledged, wrongs of the past are addressed and that history can never repeat itself".

ALSWA has worked

closely with members of the Stolen Generations, most recently in the landmark 2013 Stolen Generations case (with Lavan Legal) in the Supreme Court of WA on behalf of parents and their seven children who were removed between 1958 and 1961. Prior to this, ALSWA assisted over 1000 people in lodging applications in the (now closed) Redress WA scheme, which compensated those who were abused while in State care. "There are so many stories to be shared and the compassion and strength of our Stolen Generations in the face of such adversity is testament to the resilience of our First Nations Peoples".

Black and Proud



This year marked 20 years since WA footy legend Nicky Winmar lifted his jumper and pointed to the colour of his skin in response to racial taunts at Melbourne's Victoria Park. The symbolic gesture was a theme of this years AFL Indigenous Round and our Aboriginal players can be proud of the ongoing stance they continue to make, to stamp out racism on and off the playing field.

Rudd back as Prime Minister

In June 2013 Kevin Rudd was re-elected leader of the Australian Labor Party and sworn in as Prime Minister.

This followed the special caucus meeting which saw Julia Gillard lose the leadership ballot 57 votes to 45.

Australia's first female Prime Minister deposed Kevin Rudd as Prime Minister three years ago.

For many of our people, one of Rudd's most memorable milestones during his previous term as PM, was delivering the National Apology in February 2008.

The Federal Election will take place in 2013 and you can find out more Election information including how to enrol to vote at the:

Australian Electoral Commission
<http://www.aec.gov.au/>

Crisis Meeting Held at Dumbartung

Hundreds gathered for a Crisis Meeting in May to urgently address the alarmingly high suicide rates of Aboriginal peoples and call for solutions to this ongoing tragedy.

Organised by the Dumbartung Aboriginal Corporation and held in a marquee on the Clontarf grounds, the meeting brought together Community members, politicians, police and other key stakeholders to discuss the ongoing tragedy and loss that Aboriginal families continue to face through the loss of a loved one. Other concerns raised included the high imprisonment rates of our people and Aboriginal impoverishment.

Dumbartung's Robert and Selina Eggington are known and respected across the country for their tireless commitment and work over the past three decades in protecting the rights of our peoples, advocating for others and assisting countless people through their individual journeys of healing. It is testament to their strength and dedication that this meeting commanded such a strong and prominent turn out, highlighting the vital role that Dumbartung consistently plays in meeting community needs.

The poignant gathering included the screening of a remembrance DVD before public discussion, debate and questions from panellists and audience participants. At the conclusion of the meeting Robert Eggington and a contingent presented a list of concerns and outcomes to Premier Colin Barnett at Parliament House.



Top photo: Selina Eggington and John Pell, and

Above: Robert Eggington, Dumbartung Executive Officer



MAY OUR CAMPFIRES BURN FOREVER



Above: MC Dean Collard



Crisis Meeting Panellists

Monthly legal workshops at ALSWA in Perth

ALSWA has expanded its Community Legal Education (CLE) program to include monthly workshops in Perth and held the first session on 26th June 2013.

"Introduction to the Aboriginal Legal Service of WA" saw interested community members and organisation

representatives attend the session with ALSWA guest speakers providing an insight into the diverse roles and services offered by ALSWA. Coordinated by ALSWA CLE Officer Betty Campbell, the workshops provide the ideal forum for people to network and learn more about the legal system in WA and how ALSWA can assist clients

and representation. For more information on upcoming workshop topics and dates, please phone Betty Campbell at ALSWA in Perth on 089265 6666. Betty would also like to hear from organisations and community groups keen for ALSWA to participate in community events and workshops.

To find out more about ALSWA's legal workshops in Perth and regional WA please phone ALSWA's Community Legal Education Officer on Freecall 1800 019 900



ALSWA guest speakers at the 'Introduction to the Aboriginal Legal Service of WA' workshop held in June, pictured left to right: Paul Gazia (Civil/Human Rights Unit Managing Solicitor) Dennis Eggington (CEO), Sarah Johns (Court Officer), Betty Campbell (CLE Officer), Avril Bartlett (Criminal Unit Solicitor), Jonathon Reid (Family Law Unit Solicitor)

Legal Workshops in regional Western Australia



Sarouche Razi (pictured on left) and Betty Campbell from ALSWA's Civil/Human Rights Unit, recently visited Kununurra and Wyndham to present legal and community legal education workshops.

The sessions covered a range of topics, including compensation for victims of crime, discrimination, police complaints, inquests and human rights. More workshops are planned for 2013 including Tjuntjuntjarra, Kununurra in August .

Law Matters

Reconciliation Week - Let's Talk Recognition

Right:

Tony Sheppard (Ngarda CEO), Kim Farmer (Mentor and Cultural Awareness Coordinator), Dennis Eggington (ALSWA CEO), Ricky Osborne (General Manager, Corporate Affairs), John Mallard (Manager, Community Relations, Denice Kickett (Mentor and Cultural Awareness Manager)

The theme for Reconciliation Week (27 May to 3 June) was "Let's Talk Recognition" highlighting how Australians can better recognise the contributions, cultures and histories of Aboriginal and Torres Strait Islander people. As part of the week, ALSWA CEO Dennis Eggington was invited to speak at Ngarda, one of the largest contracting companies for Aboriginal and Torres Strait Islander



peoples in Australia. His address focused on some of Australia's reconciliation achievements along with the ongoing injustice faced by many of our people.

A panel discussion followed with Dennis joined by Ngarda's Denice Kickett and Kim Farmer to further discuss some of the issues raised and answer questions.

My Noongar Kitchen Rules



'My Noongar Kitchen Rules' brought together over one hundred people to share in a 3 course feast, compliments of Central Institute of Technology's Indigenous Programs, Ngulluk Koolbaang and Nyoongar Sports Association. Students studying at the Leederville CIT campus must be congratulated for their incredible efforts in creating the delicious menu, which provided a wonderful opportunity for people to get together and share a special meal, some yarns and a wonderful afternoon. The function received overwhelming feedback from attendees and the students can feel extremely proud of their achievements.



LENTIL AND CAULIFLOWER DAHL



INGREDIENTS

2 tbs sunflower oil
1 large onion, thinly sliced
2 garlic cloves, finely chopped
2 tbs medium-hot Indian curry paste
1 cup (200g) dried red lentils
3 cups (750ml) vegetable stock
2 tbs tomato paste
500g cauliflower, cut into small florets
1 cup (120g) frozen peas, thawed
2 tbs roughly chopped coriander leaves,
plus extra chopped coriander to garnish
Natural yoghurt and naan bread, to serve

METHOD

Heat oil in a large pan over medium heat. Add garlic, onion and curry paste, then cook, stirring, for 5 minutes or until onion softens. Add lentils and stir well to coat.

Add stock and tomato paste, bring to the boil, then cover and simmer over low heat for 15 minutes.

Return medium heat, add cauliflower and simmer, covered for 8 – 10 minutes, until vegetables are tender.

Add peas for final 2 minutes, and then stir in coriander.

Serve the curry with yoghurt and naan, garnished with coriander.

This healthy dahl is full of aromatic spice and healthy legumes. Serve it with yoghurt and naan bread for a complete meal.

APPLE BERRY CRUMBLE



INGREDIENTS

5 small apples (about 800 g), peeled, quartered, cored and sliced Or 1 tin of apples
2 tablespoons lemon juice
2 tablespoons caster sugar
200 g frozen mixed berries
1/3 cup wholemeal plain flour
1 cup traditional rolled oats
1/4 cup firmly packed brown sugar
1/2 teaspoon cinnamon (cassia)
30 g mono- or polyunsaturated margarine
1/4 cup flaked almonds

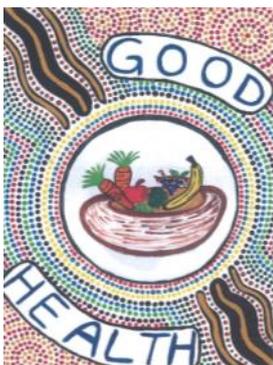
METHOD

Preheat the oven to 190°C.

Grease a baking tray with cooking spray.

Place apples, lemon juice, sugar and 2 tablespoons water in a large saucepan. Bring to a simmer. Cover and cook 12 to 15 minutes, until apples are just tender. (2 minutes for tinned apples) Drain, pour into a bowl and mix with berries. Spoon apple mixture evenly into baking tin. Meanwhile, mix the flour, oats, and brown sugar and cinnamon in a medium bowl. Add the margarine and mix in with your fingertips until well blended. Sprinkle the oat mixture evenly over the fruit. Sprinkle with the almonds. Bake, uncovered, until the fruit is bubbly and the topping is lightly browned, 20 to 25 minutes. Let cool for at least 10 minutes before serving warm or at room temperature. Serve with cream or custard. For a healthy suggestion make the custard with high low milk.

Serves: 8



These and other delicious recipes can be found in the **Good Health Cook Book** produced by participants from the Central Institute of Technology/David Wirrpanda Foundation 'Certificate 1 in New Opportunities for Women' course (Semester 1 2013). The Cookbook was compiled by Esandra Colbung, Lalita Colbung, Railor Woods, Alesha Scott Zepeda, Leslie Comeagain and Geraldine Aluria with CIT Study Support Lecturer Claire Yates and DWF Mentor Kristan Lawrence.

Cookbook cover artwork (on left) by Esandra Colbung.

Enquiries to Claire.Yates@central.wa.edu.au

YOUR DONATION CAN MAKE A DIFFERENCE!

**SUPPORT THE ONGOING WORK OF THE
ABORIGINAL LEGAL SERVICE OF WESTERN AUSTRALIA**



HOW TO DONATE TO ALSWA

We know there are many people who share our vision for a better future for all Australians and we thank you for your support in our ongoing struggle for justice. If you would like to know more about how *you* can contribute to ALSWA's ongoing work please:

visit our website at www.als.org.au

Phone 08 9265 6666

or Email Donations-Bequests@als.org.au

ALSWA CEO Dennis Eggington pictured with ALSWA's Civil/Human Rights Unit (L-R) Sarouche Razi, Betty Campbell, Marianne De Leo, Carla Yazmadjian, Pia Castelli, Nikki Dwyer, Paul Gazia
(photo by Robert Frith Acorn Photography courtesy Lavan Legal)



ABORIGINAL LEGAL SERVICE OF WESTERN AUSTRALIA

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Newman, Northam, Roebourne, South Hedland

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