



LAW MATTERS

Aboriginal Legal Service of WA

February 2010



“LIVING BLACK” SBS TV

‘Nights in Northbridge’ screens nationally on Monday 1 March 2010 and features comments by ALSWA. “Living Black” is repeated on Tuesdays and Fridays

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Happy New Year - Message from the Executive Officer

This is our first newsletter for 2010 and on behalf of the Aboriginal Legal Service of WA (ALSWA) I would like to wish our community members everything good for the year ahead.

I also extend a warm welcome to our new staff across the state. I know that your time with us will be a rewarding and challenging experience as we continue to strive for justice for our peoples. Our services continue to expand to meet the needs of our community and since the early seventies, we have worked hard to ensure that there is a fairer justice system for all. With an organisation as large as ours, there are always changes, so I take this opportunity to

announce that Robyn Ninyette (solicitor and former Law & Advocacy Unit Manager) has been appointed as our Practice Manager and stepping into her former role is solicitor Tammy Solonec. We have secured funding for additional positions of Prisoner Support Officers and look forward to receiving applications for these and other ALSWA vacancies (see page 3). Another achievement has been the acquisition of the downstairs area of ALSWA’s Perth head office. This purchase is a big step for us and I acknowledge the work of all those who were involved in the purchase. In recent months, we have farewelled some of our longer term staff who have moved interstate or to other parts of WA to



take on new roles. Thank you all for your invaluable contributions over many years, including Katrina Carlisle, Leona Zaro, Berni Lockyer, Noala Ryder, Cedric Wyatt, Simon MacDonald and Stephen Gabriel. Our best wishes go with you all.

To all of our staff, your ongoing efforts are greatly appreciated. We look forward to the year ahead and continuing to provide our high standard of legal support and representation.

John Bedford

ALSWA Executive Officer and Acting CEO



Some of ALSWA’s staff pictured at Perth Head Office, 7 Aberdeen Street, Perth

STOP AND SEARCH – ALSWA calls for Bill to be withdrawn



ALSWA is concerned that WA's proposed 'Stop and Search' laws will lead to an increase in vulnerable people being targeted by police. ALSWA Executive Officer and Acting CEO John Bedford (pictured on left) believes that a further increase in police powers will see our most disadvantaged targeted. "Aboriginal people in this state are already over-policed and over-represented within the court and prison systems, and it is our people who will feel the impact" he said. ALSWA welcomes the concerns of others who have also spoken out against the laws

including the Equal Opportunity Commission, the Law Society, and former Superintendents Parkinson and Watson. In its submission to the *Criminal Investigation Amendment Bill 2009 (Stop and Search Laws) Inquiry*, ALSWA said 'the proposed laws will disproportionately impact on vulnerable groups and constitute serious violations of Australia's obligations under international human rights law'. ALSWA is also concerned about the impact that stop and search could have on those who feel aggrieved

at being singled out and searched by police for no reason. "These powers could lead to people feeling unfairly victimised and reacting in such a way that leads to a potentially volatile and escalating situation. When one considers this scenario in conjunction with the new mandatory sentencing laws for 'assaults on public officers causing injury', further human rights could be impinged upon and over-representation within prisons further exacerbated" said Mr. Bedford.

ALSWA urges the Legislation Committee and government of WA to withdraw this Bill.

New Line up in Family Law Unit

ALSWA welcomes solicitor Neil Anderson who has joined the Family Law Unit. Neil replaces Simon MacDonald who moved interstate late last year after many years working in Family Law at ALSWA. Also farewelled (in February 2010) was Berni Lockyer who headed north to the Pilbara to work at the Roebourne Prison. Berni is widely known for her community work over many years and has spent the past 7 years with ALSWA in a variety of roles including Court Officer, Family Liaison Officer/Community Educator and Women's Contact Officer. Simon and Berni will be greatly missed and we wish them the best in their new roles.



Left to Right: Neil Anderson, Berni Lockyer and Simon Macdonald



CHECK OUT
our new website at
www.als.org.au

This website contains legal pamphlets and information about the services provided by ALSWA's 18 WA offices. There's also Breaking News from the ABC Indigenous News website so that you can keep up to date with news from around the country.
FREECALL ALSWA
from anywhere within WA
1800 019 900

Too Solid - 26 January 2010

The year got off to a big start with the 'Too Solid' Festival at the Supreme Court Gardens on 26 January 2010. Featuring music, entertainment, children's activities and community stalls, ALSWA was on board with our own stall to let our community know all about the services we provide.



If you'd like ALSWA to set up a stall at your community event please contact the Law & Advocacy Unit on 08 9265 6666.

Above left: Pictured at ALSWA's stall are Jodi Hoffmann, Lorretta McNamara, Tammy Solonec, Kenny Sutton, Seranie Gamble, Alana Dooley. Above right: The Bartlett Brothers perform. 'Too Solid' was organised by 6NME Noongar Radio & Abmusic in association with City of Perth

Greetings from our Carnarvon office

Congratulations to Hayley O'Hara who has passed her lawyers 'test' - she has put in so much effort and I am proud of her. Bernard and Hayley O'Hara left our Carnarvon office in January and will be missed not only by this office but the wider community that they have represented and befriended. I wish them the best for their future and hope to see them again one day soon. Lawyer Russell Reading is coming back to the Carnarvon ALSWA family at the beginning of March and it will be a joy to work with him again, with his macabre sense of humour. Mark Radovanovich is still here as our Court Officer and we warmly

welcome Liz Day, a new lawyer to our office. So far, I am enjoying working with the different court staff that have been in Carnarvon to cover until Russell arrives and taking in the small wisdoms that have been bestowed upon oneself. I hope that they enjoyed our little, wonderful town!

*Beverly Edwards
Carnarvon ALSWA*



ALSWA's Carnarvon office

Positions Vacant at ALSWA

Solicitor in Charge

(Kalgoorlie and South Hedland offices)

Criminal Solicitor

(Kalgoorlie and Geraldton offices)

Prisoner Support Officers (2 positions)

Perth office

Solicitor (Civil and Human Rights Law)

Perth office

CLOSING DATE 2 March 2010

More information on Solicitor positions from Dee Richardson and on Prisoner Support Officer positions, from Tammy Solonec 08 9265 6666.

APPLICATIONS

Written applications, marked "Private and Confidential" should be forwarded by close of business on **2 March, 2010** to:

Lynette Jenkins, Personnel Officer,
ALSWA, PO Box 8194

Perth Business Centre PERTH WA 6894

or via email to lynette@als.org.au.

Applications must fully address the selection criteria, include a Curriculum Vitae and nominate at least two (2) professional referees and two (2) personal references.

PROFILE ON LES O'NEILL - FVPLS Accountant

Les O'Neill (pictured on right) is one of the few Aboriginal accountants in Western Australia and he has recently started work with the Family Violence Prevention Legal Service (FVPLS) in Perth (which has ALSWA as its Auspicing Body). Originally from the Shark Bay or Mulgana (Cutha Gooda) area, Les moved to Geraldton at a young age and stayed there for many years. "I still call myself Shark Bay mob though, as does anyone who comes from there, no matter how long they've been away. I worked work with Centrelink in Joondalup for about six years, and being Salt water, I guess when Christine Anu sung that Warumpi band song ("*My Island Home*"), it kinda made me miss my family. Am older now, and so I guess I'm more comfortable with being able to move around".

Becoming an accountant five years ago, Les started his career as one of only three cadets selected nationally to work with ATSIC in 2005. This opportunity paid for his Degree, plus a small wage and during semester breaks he would work with the field officers, reviewing the performance and financial activities of service providers in the region. Since graduating, he has worked with a local community organisation which provided accounting services to several Aboriginal Corporations in the Midwest Region, H&R Block Geraldton in Mainstream business audit, ITP Geraldton for a tax season, a Dongara Welding company as their accountant, RSM Bird Cameron, and coordinated TAFE's Accounting Lecturing.



"I think we need more Aboriginal Accountants. With qualified Indigenous accountants being so rare, most of the administrative and finance staff in Aboriginal organisations around the country are non-Indigenous. I'm really enjoy my work with FVPLS. It's a completely different area for me because we're basically trying to establish things from scratch" said Mr. O'Neill.

Apart from his career, Les says that family, stability and self-determination are also important. "I don't think we'll get anywhere as a people if we continue to rely on other people telling us what to do, and how to do it. That's what self determination means to me, that we determine our own fate and future, and we tell each other how to do that.

I wanted to work for FVPLS because it's a good opportunity for me to be around other Aboriginal professionals, who probably see things the same way as I do and the job also provides a chance for me to study on-campus for my MBA (*Master of Business Administration*)". Les would love to see more Aboriginal people become accountants and looks forward to his future work with FVPLS.

Diplomacy Training Program (DTP) held in Perth



Tammy Solonec

The '*Indigenous Peoples Human Rights and Advocacy Training Program for Aboriginal and Torres Strait Islander Community Advocates*' was held in Perth at UWA from 9-12 February. The program was run by DTP and Oxfam Australia in partnership with the Aboriginal Legal Service of WA and the Centre

for Aboriginal Studies at Curtin University. Around 30 participants gathered for this four day program, which aims to develop knowledge, confidence and skills of community advocates to effectively protect, promote and fulfil our rights, as recognised in international standards. ALSWA's Law and Advocacy Unit Manager

Tammy Solonec said that the program was a wonderful opportunity for community representatives to get together and share their knowledge and skills and form important networks for future work. "ALSWA is very proud to have been involved in this important workshop".