



28 September 2011

Aboriginal Legal Service
of Western Australia, Inc

Perth Head Office
Piccadilly Square
7 Aberdeen Street
Perth WA 6000
ABN 61 532 930 441

PO Box 8194
Perth Bus Ctr WA 6849

T 08 9265 6666
F 08 9221 1767

Toll Free
1800 019 900

The Executive Director
Australian Law Reform Commission
GPO Box 3708
Sydney NSW 2001

By email: cwlth_family_violence@alrc.gov.au

Dear Executive Director,

ALRC FAMILY VIOLENCE AND COMMONWEALTH LAWS INQUIRY -

The Aboriginal Legal Service of Western Australia (Inc.) (ALSWA) writes in response to the Australian Law Reform Commission's (ALRC) Discussion Paper on Family Violence – Commonwealth Laws (ALRC Discussion Paper).

We note the deadline for providing submissions is 30 September 2011.

About ALSWA

ALSWA is a community based organisation that was established in WA in 1973. ALSWA aims to empower Aboriginal and Torres Strait Islander peoples (Aboriginal peoples) and advance their interests and aspirations through a comprehensive range of legal and support services throughout WA. ALSWA provides legal advice and representation to Aboriginal peoples in a wide range of practice areas including criminal, civil, family, and human rights law. ALSWA's services are available throughout WA via 17 regional and remote offices and one head office in Perth. ALSWA is a representative body with 16 executive officers¹ elected by Aboriginal peoples from their local regions to speak for them on law and justice issues.

Endorsement

ALSWA notes the expertise and experience of the North Australian Aboriginal Justice Agency Ltd (NAAJA) and the Central Australian Aboriginal Legal Aid Service Inc. (CAALAS) in providing legal advice and assistance to Aboriginal peoples who have been affected by discriminatory income management measures under the Northern Territory Emergency Response since 2007. We respectfully endorse

¹ There are two Executive Officers for each of the former eight ATSIC regions (Metropolitan, Central Desert Region, Murchison/Gascoyne Region, Southern Region, Pilbara Region, Goldfields Region, West Kimberley Region and East Kimberley Region). They are elected by Aboriginal and Torres Strait Islander peoples every three years.

NAAJA's and CAALAS' submissions, which are available on the ALRC website.² We further support their earlier submissions on the Exposure Draft of Income Management Policy Outlines, and to the Senate Community Affairs Committee Inquiry in 2010.

Income Management in WA

Mandatory income management for child protection and voluntary income management have been trialed in the Kimberley Region of WA and certain areas around Perth since November 2008.³

ALSWA has not received any increased funding to provide legal assistance to Aboriginal peoples affected by income management or to provide comprehensive civil law services in regional areas. We therefore have limited capacity to provide specific insight from a WA perspective.

If you would like to discuss this submission further, please contact Seranie Gamble from this Office on (08) 9265 6650.

Yours faithfully,



PETER COLLINS

Director of Legal Services

² See: <http://www.alrc.gov.au/inquiries/family-violence-and-commonwealth-laws/submissions-received-alrc>

³ See the Evaluation of the Child Protection Scheme of Income Management and Voluntary Income Management Measures in Western Australia, available at: http://www.fahcsia.gov.au/sa/families/pubs/cpsim_vim_wa/Pages/p1.aspx