

ABORIGINAL LAW NOTES

No. 83/5

August, 1983

Being notes on matters of current interest concerning  
Aboriginals and the Australian legal system, as reported  
to, or discussed at meetings of the Aboriginal Law Research  
Unit.

SYDNEY

Next meeting: 5.30-7.00 p.m., Tuesday, 20 September, 1983,  
at Aboriginal Legal Service, Cnr Cleveland  
and Abercrombie Streets, Chippendale.

Speaker: Lyall Munro Jr. will speak about the National  
Aboriginal and Islander Legal Services  
Secretariat and the recent NAILSS delegation  
to the Working Group on Indigenous Populations  
in Geneva.

Any member of the Advisory Council who happens to be in  
Sydney is welcome to attend meetings of the Unit.

The ABORIGINAL LAW RESEARCH UNIT is located in the Faculty of  
Law, University of New South Wales, P.O. Box 1, Kensington,  
N.S.W., 2033, Australia. Chairman, Garth Nettheim:  
Tel. (02) 663-0351, Extension 3266.

The Unit also publishes the Aboriginal Law Bulletin 4 times  
a year.

Aboriginal Law Notes is distributed to members of the Unit's  
Advisory Council. Subscription \$5.00 p.m.

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LAST MEETING - 2 August 1983 at Tranby

Present: Lyall Munro Jr, Chris Kirkbright, Don Jenner, Kevin Cook, Ken Maddock, Mary Fisher, Peter Hennessy, Daryl Gunter, John Terry, Garth Nettheim, Neil Rees.

Apologies: Richard Chisholm, Colin Tatz, Meredith Wilkie, James Crawford.

Matters discussed:

- (1) Delegations from NAILSS and NAC to 2nd meeting of UN Working Group on Indigenous Populations at Geneva. ALRU had provided briefing material to both organizations.
- (2) Proposed NAILSS Conference in Sydney at the end of August.
- (3) Meetings about enhanced Aboriginal participation in matters of parole for Aboriginal prisoners and welfare decisions for Aboriginal children.
- (4) Possible organization of a field officers' course in New South Wales if continued in 1984.
- (5) Chris Kirkbright's appointment as Registrar under the Aboriginal Land Rights Act 1983 (NSW).
- (6) Problems in federal funding, especially for housing, for southern and urban Aboriginal communities.

Speaker: Kevin Cook spoke of the work of the Interim NSW Land Council.

ABORIGINAL LAW BULLETIN:

Issue No. 8 has been published with the August Legal Service Bulletin. Deadline for material for Issue No. 9 is 17 September.

PUBLICATIONS:

- (a) Human Rights for Aboriginal People in the 1980s - in production, Legal Books Pty. Ltd.
- (b) John McCorquodale's bibliography - editorial work in progress, AIAS.
- (c) Aborigines and the Law: Essays in memory of Elizabeth Eggleston (ed. Peter Hanks and Bryan Keon-Cohen) - in production, George Allen & Unwin.
- (d) Aboriginal Land Rights Law in New South Wales by Meredith Wilkie - draft complete, publisher being sought.

- (e) Hunting, Fishing and Gathering Rights by Michael Hogan - possible publication of a revised version under consideration.
- (f) Mining on Aboriginal Land by Richard Bartlett - publication of a revised version under consideration.
- (g) Who is an Aborigine? by John McCorquodale - to be published shortly.

#### ABORIGINES AND THE LAW

An elective subject under this title is being taught again at the University of New South Wales by Daryl Gunter.

Early consultations are in progress on publishing a book of materials and commentary on the subject.

#### ABORIGINAL LAND RIGHTS LAW IN THE NORTHERN TERRITORY

Work on the ARGS-funded project is continuing with assistance from Graeme Neate and Daryl Gunter.

#### REPORTS, BOOKS, etc., received:

Aboriginal Land Rights in NSW. A preliminary Bibliography  
(NSW Ministry of Aboriginal Affairs, Occasional Paper No.3)

FAIRA Newsletter No. 11

Geoffrey Blomfield Baal Belbora. The End of the Dancing  
(donated by Michael Hogan).

Yulngu magazine, Vol. 3, No. 1 July 1983.

Survival International (France) Annual Report 1982 (in French)

" " " "Guatemala" (Document n°1, 1983)  
(in French)

Commentary on the Maralinga Tjaruta Land Rights Bill by Yalata Community Inc. (from Aboriginal Legal Rights Movement, Inc., S.A.).

Brad Morse "Indian and Inuit Family Law and the Canadian Legal Sydney" (article).

Brad Morse "Native Land Rights and the Canadian Constitution" (article).

#### CORRESPONDENCE

with people at other Law Schools about teaching materials on Aborigines and the Law;

with various publishers about proposed publications;

with Survival International, London, on various issues;

Correspondence (cont.)

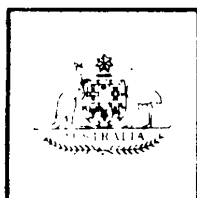
- with the Anti-Slavery Society, London, about their proposed investigation into the condition of Aborigines, particularly in Queensland;
- with Aboriginal Legal Rights Movement Inc., Adelaide, about proposed study on Aboriginal Land Rights Law in South Australia;
- with NAC about briefing delegates to Working Group on Indigenous Populations, Geneva;
- with various contacts in Geneva and London about NAC and NAILSS delegations;
- with the office of the Minister for Aboriginal Affairs, Canberra, about Queensland issues and possible appointment of a research assistant for the Aboriginal Law Bulletin;
- with Richard Bartlett, Canada, about publication of his paper on "Mineral Rights on Aboriginal Lands and Reserves in Australia";
- with Liza Newby, Western Australia, about her August visit to ALRU;
- with Paul Chartrand, University of Manitoba, Canada;
- with Stuart McGill, New York;
- with Brad Morse, University of Ottawa, Canada. He specifically requests:

"Secondly, could you include a brief note in the next ALN expressing my sincere appreciation to everyone for their kindness and friendship as well as their help in my research projects. I hope to see you all again sometime soon and to remain in contact in the interim. If you could include my address here it would help.

"....If there is any way that I can help ALRU or the ALB from long distance then please don't hesitate to ask. We would greatly welcome any visitors by the way."

His address is:

Professor Bradford W. Morse,  
Vice-Dean,  
Faculty of Law,  
University of Ottawa,  
OTTAWA, ONT., CANADA



# AUSTRALIAN INSTITUTE OF CRIMINOLOGY

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29 July 1983

Editor  
Aboriginal Law Bulletin  
c/- Faculty of Law  
University of New South Wales  
PO Box 1  
KENSINGTON NSW 2033

Dear Sir,

This Institute is to conduct a seminar on the theme of Aborigines and Criminal Justice during the period 12-16 September 1983. Additional details are provided in the attached information sheet.

As participation in the seminar is limited to 70 persons, it is necessary for agencies wishing to be represented to forward their nominations at an early date. Preference will, understandably, be given to intending participants wishing to make formal presentations. One place is guaranteed your agency regardless but, nominations for a second place will need to be viewed in the light of demand overall.

The final product of the seminar, a comprehensive statement concerning the nature of the Aborigine-Criminal Justice fit generally and directions for desirable change, is expected to be an influential document. It is essential criminal justice agencies accept this opportunity to contribute to its formulation.

Your early advice concerning nominations (form enclosed) will be greatly appreciated.

Sincerely

A handwritten signature in dark ink, appearing to read 'Colin Bevan'.

Colin Bevan  
ASST DIRECTOR (TRG)