

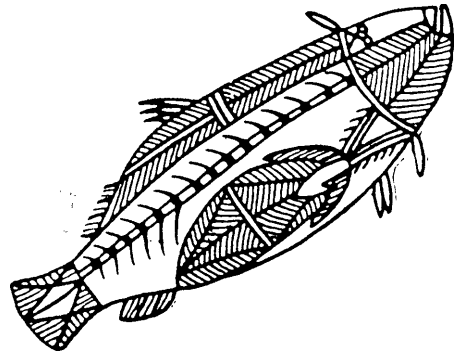
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ABORIGINAL LAW NOTES

88/1

FEBRUARY 1988

ISSN 0811 - 9597



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**PROJECTS**

**Project: Aborigines and the Law Casebook**

Laura Beacroft is working at the Centre assisting in the final preparation of the Casebook in conjunction with Garth Nettheim and Heather McRae.

**Project: Aboriginal Law Bulletin Index**

The Law Foundation of NSW has granted \$2000 for the preparation of a comprehensive index and tables for the first 30 issues of ALB.

(continued on next page)

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THE ABORIGINAL LAW CENTRE

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Aboriginal Law Notes are distributed to members of the Centre's Network. Subscription \$5.00 per annum.

The Centre also publishes the Aboriginal Law Bulletin.

Registered by Australia Post - Publication No. NBP 5530.

REMINDER

To members who have not yet sent in their subscriptions to ALN, please help us by doing so without delay.

Project: Handbook for Aborigines dealing with resource development

The Law Foundation of NSW has also released \$10,000 for this project. Alan Tegg commenced work on it at the start of February.

Project: Aboriginal Sacred Sites

In 1987 the Law Foundation of NSW provided funds to Kenneth Maddock of Macquarie University to commence a project the aim of which is "to review the law relating to Aboriginal 'sacred sites' in social and religious context". The fruit of the first year's work by Dr. Maddock and his research assistant Katherine Mann takes the form of a first draft Bibliography of Material Pertaining to Australian Aboriginal Sacred Sites 1976 - 1986. The starting date of 1976 was selected as the year of the Aboriginal Land Rights (Northern Territory) Act, 1976 (Cth) which introduced the concept of 'sacred site' to statute law. A limited number of copies of the first draft have been circulated for comment, and the authors hope to develop a second draft during 1988 to cover the period from 1970 (the first year of hearing of the Gove case) and to develop it in other ways. In the meantime anyone wishing to see the first draft could contact Dr. Maddock. (The Aboriginal Law Centre holds a copy).

The ultimate outcomes of the project are to be a complete annotated bibliography in published form and a monograph on sacred sites. These volumes will link in well with the Aboriginal Law Centre's long term aim to produce a series of studies on Aboriginal land rights law in all parts of Australia.

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**Publication, etc, received**

Woomera, NSW Aboriginal Land Council, Issue No. 6, August/September 1987.

NSW Aboriginal Land Council, Annual Report, 1985-86.

Australian Aboriginal Studies, 1987, No. 2, Journal of the Australian Institute of Aboriginal Studies.

Koorier, Newsletter of the NSW Ministry of Aboriginal Affairs, December 1987.

East Kimberley Impact Assessment Project: Audrey Bolger, "The Effect of Public Sector Activity on Aborigines in the East Kimberley", Parts I and II, East Kimberley Working Papers Nos. 20 and 23.

Fr. Frank Brennan SJ, "Reborn - Enduring the Flames", Address to the 15th Annual Conference, Aboriginal & Islander Catholic Council, Toowoomba, 6 January 1988.

Human Rights Internet Reporter and Master List, Volume 12, No. 1, 1987.

Anti-Slavery Reporter, Volume 13, No. 3 (1987)

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Conferences

Symposium Australian Aborigines and the French, University of New South Wales, 21-23 July 1988.



ABORIGINAL LAW CENTRE

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ALC BRIEFING PAPER

ABORIGINAL LAW CENTRE

ANNUAL REPORT, 1986-1987

INTRODUCTION

The Aboriginal Law Centre superseded (from February 1986) the Aboriginal Law Research Unit which was established in the Faculty of Law in April 1981. No annual reports were presented in the early years of the Unit, but an overall report covering activities to 30 June 1985 was published under the title "The First Four Years: 1981-1985". An annual report was published covering the period from 1 July 1985 to 30 June 1986.

This report covers the period 1 July 1986 to 30 June 1987. It follows a format similar to that in the two earlier reports.

MAIN ACTIVITIES

1. The Advisory Council "network".

This comprises some 150 corresponding organisations and individuals, in Australia and overseas, who receive the newsletter Aboriginal Law Notes (ALN). ALN is particularly directed to people working in Aboriginal Legal Service organisations and Aboriginal Land Councils.

The function of ALN remained, as before, to give information about the Centre's activities, to report correspondence, to notify publications and papers received, to announce forthcoming conferences, to publicise requests for submissions to Inquiries, to include short news items, and to mention research projects. Occasionally a "briefing paper" is attached as a supplement.

Details of the Aboriginal Law Notes for the year are as follows:

<u>Year & No.</u>	<u>Date</u>	<u>Briefing Paper supplement</u>
86/5	August 1986	
86/6	November 1986	
86/7	December 1986	
87/1	February 1987	
87/2	April 1987	Summary of Aboriginal Affairs joint policy of the Liberal and National Parties.
87/3	May 1987	Summaries of Aboriginal Affairs policies of the Australian Democrats and ALP.
87/4	June 1987	Chapter 10 of the Report of the Advisory Committee on Individual and Democratic Rights, Australian Constitutional Commission

Information provided in ALN continues to attract requests for copies of publications, further information, etc.

2. Directory

The objective of producing a 3rd expanded edition of the former Directory of Aboriginal Legal Services was not achieved during the year in question. The project may be resumed in 1987-88.

3. Aboriginal Law Bulletin

The Centre's journal, the Aboriginal Law Bulletin (ALB), continued to appear throughout the period. After some initial uncertainty, it continued to be funded by the Department of Aboriginal Affairs (DAA). Alastair Walton continued as editor throughout the period.

Although DAA support for production costs was tied, as previously, to 4 issues @ 12 pages, it proved possible to produce 6 issues, with the use of subscription income.

Details are as follows:

<u>No.</u>	<u>Date</u>	<u>Numbers of Pages</u>
21	August 1986	16
22	October 1986	12
23	December 1986	12
24	February 1987	12
25	April 1987	12
26	June 1987	12

A possible project for 1987-88 is to publish a consolidated index for the first 30 issues of the ALB.

4. Para-legal Education

The Centre was consulted about its 1982 and 1983 courses for field officers by people involved in designing a para-legal course for South Australia to commence in 1987.

5. Conference and Seminar Activity

Members of the Centre were involved in the planning and presentation of two international conferences in August 1986 - a three-day meeting of the Commission on Folk Law and Legal Pluralism at the University of NSW, followed by sessions on "The Aborigine in Comparative Law" and "Mixed Jurisdictions of Civil and Customary Law" at the XIIth Congress of the International Academy of Comparative Law.

Members of the Centre participated in the May 1987 conference on "Aborigines and Development in the East Kimberley" at Kununurra, WA.

Reception/seminars were held for overseas visitors - the Hon. Thomas Berger from Canada; Dr Julian Burger from the Anti-Slavery Society (London); Professor Brad Morse from Canada.

6. Teaching

"Aborigines are the Law" was taught again at the University of NSW in 1st Session (Semester) 1987.

Garth Nettheim and Laura Beacroft are preparing a Casebook, in conjunction with Dr. Heather McRae of the University of Adelaide, as a basis for teaching the subject at both law schools, and elsewhere. The book should be published during 1988.

7. Legal Advice and Assistance

Members of the Centre have advised on several matters; have made submissions to public inquiries, especially two Advisory Committees of the Constitutional Commission; have spoken on the media and elsewhere on Aboriginal law issues; and have presented papers and published articles on such matters, overseas and in Australia.

8. Research and Publication

Work was completed on Volume 1 of the study Aboriginal Land Rights Law in the Northern Territory by Graeme Neate. The volume is expected to be published in early 1988 by the Alternative Publishing Co-operative Ltd (APCOL). Work is still to be completed on Volume 2.

Work commenced on a study of Aboriginal Land Rights Law in South Australia.

9. Resource Base and Collection

The collection continued to grow. It is now housed in room 1203, Law School, University of NSW. The Centre received funding from the Law Foundation of NSW to arrange and catalogue the collection and prepare a database.

10. Aboriginal Legal Education

Members of the Centre continued to assist in the development of the University of NSW's support program for Aboriginal students generally. The program was substantially improved during the year. Lorraine Liddle and Veronica Elsegood graduated in law.

FUNDING

The sum total of grants received in the two previous reporting periods were:

1985-85	\$179,604
1985-86	64,509
	<u>\$244,113</u>

Grants received in 1986-87 were as follows:

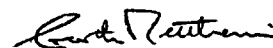
<u>Aboriginal Law Bulletin</u> Dept. of Aboriginal Affairs	29,300
<u>Casebook: Aborigines and the Law</u> Law Foundation of NSW	11,432
<u>Aboriginal Law Centre - Library & Information Resources</u> Law Foundation of NSW	5,000
<u>Aborigines & Development in the East Kimberley</u> Kununurra, WA - support for travel, costs, etc., Law Foundation of NSW	1,300
	<u>47,032</u>

The total of specific grants to the Centre since 1981 stands at \$291,145.

CORE FUNDING

In the Annual Report for 1985-86, as in the earlier report "The First Four Years: 1981-1985," I stressed the need for the Centre to attract core funding to employ a full-time Director and other staff so as to achieve its potential. The Law Foundation of NSW provided assistance in early 1986 towards the costs of a part-time Director; in 1986-87 it continued provision for Laura Beacroft to act as Director from September 1986 - March 1987. Since that time, however, the Chairman has had to act as Acting Director in his (increasingly rare) spare time. Further applications for funding to employ a full-time Director have not yet been successful.

While this situation continues, the Centre can hope to achieve only a fraction of its potential.



Garth Nettheim
Acting Director and Chairman