

EDITORIAL

Welcome to the final edition of the *Indigenous Law Bulletin* ('ILB') for 2012. To close the year we've brought you a diverse range of articles covering a variety of issues.

We open this edition with an article by David Pheeny in response to the NSW Government's announcement in September that it intends to reform the State's right to silence laws. David provides an Indigenous perspective on the impact the changes may have on legal safeguards for Indigenous adults who come before the criminal justice system.

Timothy Neale surveys the issues that—having been raised by the *Wild Rivers Act 2005* (Qld) controversy—must now be faced by the newly elected Liberal National Party administration in Queensland.

George Williams addresses the question of whether recognising Aboriginal and Torres Strait Islander peoples in the Australian Constitution would negate their claims to sovereignty.

Continuing on the subject of sovereignty, Irene Watson, drawing from her Tangane-kald and Meintangk Peoples' perspective, addresses the ongoing sovereignty of Aboriginal peoples and their struggles to co-exist within the ongoing Australian colonial project.

In an article referencing the long history of global Indigenous enterprise, I outline why consulting the United Nations Declaration on the Rights of Indigenous Peoples ('UNDRIP') represents best practice for parties involved in revitalising Indigenous-led economic development.

Errin Walker considers the continuation of alcohol restrictions under the current Stronger Futures legislation and assesses its prospects for success in tackling the Territory's 'rivers of grog'.

Aimee Ferguson provides us with some reflections on her time at the 2012 United Nations Permanent Forum on Indigenous Issues ('UNPFII') as the assistant to Megan Davis, State Elected Expert Permanent Forum Member and this year's Rapporteur of the UNPFII.

Finally, Tim Rowse reviews 'People on country: vital landscapes, Indigenous futures'. A series of essays edited by Jon Altman and Seán Kerins which tells the story of Aboriginal people who are living on, working on and caring for the lands and seas that they own and manage.

Thank you all for your ongoing interest in the ILB and for your comments and contributions throughout the year. I hope you enjoy this latest edition of the ILB.

Robert McCreery
Editor

CONTENTS

IN DEFENCE OF THE RIGHT TO SILENCE: AN INDIGENOUS PERSPECTIVE	3
<i>by David Pheeny</i>	
CONTEST AND CONSENT: THE LEGACY OF THE <i>WILD RIVERS ACT 2005</i> (QLD)	6
<i>by Timothy Neale</i>	
DOES CONSTITUTIONAL RECOGNITION NEGATE ABORIGINAL SOVEREIGNTY?	10
<i>by George Williams</i>	
THE FUTURE IS OUR PAST: WE ONCE WERE SOVEREIGN AND WE STILL ARE	12
<i>by Irene Watson</i>	
PROMOTING INDIGENOUS-LED ECONOMIC DEVELOPMENT: WHY PARTIES SHOULD CONSULT THE UNDRIP	16
<i>by Robert McCreery</i>	
STRONGER FUTURES ALCOHOL REGULATION IN THE NT	20
<i>by Errin Walker</i>	
REFLECTIONS ON THE 2012 UN PERMANENT FORUM ON INDIGENOUS ISSUES	24
<i>by Aimee Ferguson</i>	
BOOK REVIEW	
PEOPLE ON COUNTRY: VITAL LANDSCAPES, INDIGENOUS FUTURES	26
<i>by Tim Rowse</i>	
REGULAR	
MONTHS IN REVIEW – November	30
<i>compiled by Robert McCreery</i>	

SEEKING CONTRIBUTORS

Would you like to submit an article to the *Indigenous Law Bulletin*?

If you are a student, practitioner, part of a community organisation, or are simply concerned about issues affecting Aboriginal and Torres Strait Islander people, the ILB wants to hear from you! We welcome contributions from Indigenous and non-Indigenous authors, on a wide range of topics. For more information, please visit our website at www.ilc.unsw.edu.au, or contact the Editor at ilb@unsw.edu.au.

Aboriginal and Torres Strait Islanders are advised that this publication may contain images of deceased persons.