

# ABORIGINAL WOMEN'S LEGAL ISSUES CONFERENCE

In June 1993, Aboriginal women throughout New South Wales attended the Aboriginal Women's Legal Issues Conference, at Parramatta, in Western Sydney.

Aboriginal women spoke about problems they faced in accessing the law, in particular, as victims of violence. They spoke of the difficulties they faced as Aboriginal *people* as well as additional barriers they faced as Aboriginal *women*.

A number of issues highlighted by Aboriginal women as affecting their ability to access the law are:

- The lack of appropriate information given to them about their rights, particularly in rural and isolated areas, has meant they are generally unaware of their options and continue to remain unsupported.
- The lack of available services in rural and isolated areas means they have nowhere to go for protection, advice or counselling.
- Racism and sexism within the legal system lead to incorrect assumptions about their position within Aboriginal society. In addition, this has led to incorrect assumptions about the role of violence in Aboriginal society.
- Concern about the over-representation of Aboriginal people as defendants has meant Aboriginal female victims have been placed in the position of not wanting to be the 'reason' for Aboriginal men being imprisoned. This has also meant Aboriginal female victims have been overlooked within both research and the development of

strategies which address the issues of Aboriginal people and the law.

- In many instances, Aboriginal women are unable to obtain legal advice and representation. Women have spoken about the difficulties they face accessing the Aboriginal Legal Service as victims of violence. The Aboriginal Legal Service mainly represents people who have been charged with a criminal offence and as such, are defendant focused. Ethically, no legal service can represent the victim if they are acting for the defendant in the case.

A large number of Aboriginal women attended the conference representing a significant cross-section of New South Wales women.

From the Conference, an Aboriginal Women's Legal Issues Committee was set up, consisting of Aboriginal and non-Aboriginal women to follow up the issues and recommendations that came out of it.

## Recommendations

- That ATSIC fund the establishment of an Aboriginal Women's Legal Resource and Advocacy Centre. The Centre could operate as part of the NSW Community Legal Centre movement. This Centre should be managed and staffed by Aboriginal women and provide a service for Aboriginal women specifically on issues related to sexual assault and domestic violence.
- That Aboriginal women be consulted before the implementation of the Royal Commission into Aboriginal Deaths in

Custody to ensure that the needs specific to them are included in any policy and/or program response.

- That the position of Project Officer (Aboriginal) in the NSW Women's Co-ordination Unit continues as a permanent full-time position. The appointment should involve consultation with Aboriginal women.
- That the Aboriginal women present at the Conference form a statewide interest and support network for Aboriginal representatives on committees such as the NSW Domestic Violence Council, the SAAP/MAC Committee, the Women's Advisory Council, the NSW Sexual Assault Committee and other Committees relevant to the interests of Aboriginal women.
- That funds be allocated by the Legal Aid Commission of NSW to allow for employment of Aboriginal Workers in all community legal centres.

The Committee has so far received a \$50,000 grant from the NSW Law Foundation to fund the employment of a co-ordinator to conduct a needs analysis. The Law Foundation has agreed the legal system is not meeting the special needs of Aboriginal women.

We are still seeking funding to help establish and run the centre.

For more information contact:

Cleonie Quayle,  
NSW Aboriginal Land Council  
Tel: (02) 689 4444  
Fax (02) 687 1234

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### Editor for this issue:

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### All Correspondence to:

Editorial Co-ordinator, **Alternative Law Journal**, C/- Law Faculty, Monash University, Clayton, Vic. 3168.  
Tel. (03) 905 3362  
Fax: (03) 905 5305

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