



MEDIA RELEASE

27 October 2006

The Law Reform Commission of Western Australia has released the results of its six-year inquiry into the recognition of Aboriginal customary laws in Western Australia

The Commission's Final Report, titled *Aboriginal Customary Laws: The interaction of Western Australian law with Aboriginal law and culture*, contains 131 recommendations for reform of laws, policies and the practices of government agencies, police and courts in Western Australia.

"The Commission's Report is a timely reminder of the fact that a complex system of laws existed in Aboriginal societies at the time of colonisation and that many of these laws continue to be observed and practised in Western Australia today", Commission Chairperson Ms Gillian Braddock SC said.

Recommendations cover areas as diverse as inheritance; evidence and procedure of courts; guardianship and administration; funerary practices; community governance; police and prisons; customary harvesting; coronial inquests; criminal justice issues (including community justice mechanisms, Aboriginal courts, bail, sentencing and criminal responsibility); cultural and intellectual property; family law and the care and custody of Aboriginal children; family violence; Aboriginal disadvantage; and human rights.

"The Commission's recommendations will assist the Government to improve conditions for Aboriginal people, to give appropriate recognition and respect to their laws within the Western Australian legal system and to work in harmony with Aboriginal people to foster their culture for future generations", Ms Braddock said.

Special Commissioner Professor Michael Dodson said that the Commission's recommendations not only "have the potential to be of huge benefit to Aboriginal and non-Aboriginal Western Australians", but also have the capacity to move beyond Western Australia's borders.

"Many of the recommendations contained in this Report could sit comfortably in any Australian jurisdiction" Professor Dodson said.

The Report will be launched by Attorney General Jim McGinty and Mr Tom Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner, at 5.30pm on Friday 27 October 2006. The Final Report will be available on the Commission's website from 5.30pm on Friday 27 October 2006.

For media comment contact:

Dr Tatum Hands

Executive Officer and Principal Project Writer

Telephone: 9341 4833

Fax: 9341 5833

Further information:

www.lrc.justice.wa.gov.au