40 YEARS

CELEBRATING

40 YEARS OF ABORIGINAL LEGAL SERVICES IN THE TOP END

1972

2012

North Australian Aboriginal Justice Agency

NAAJA

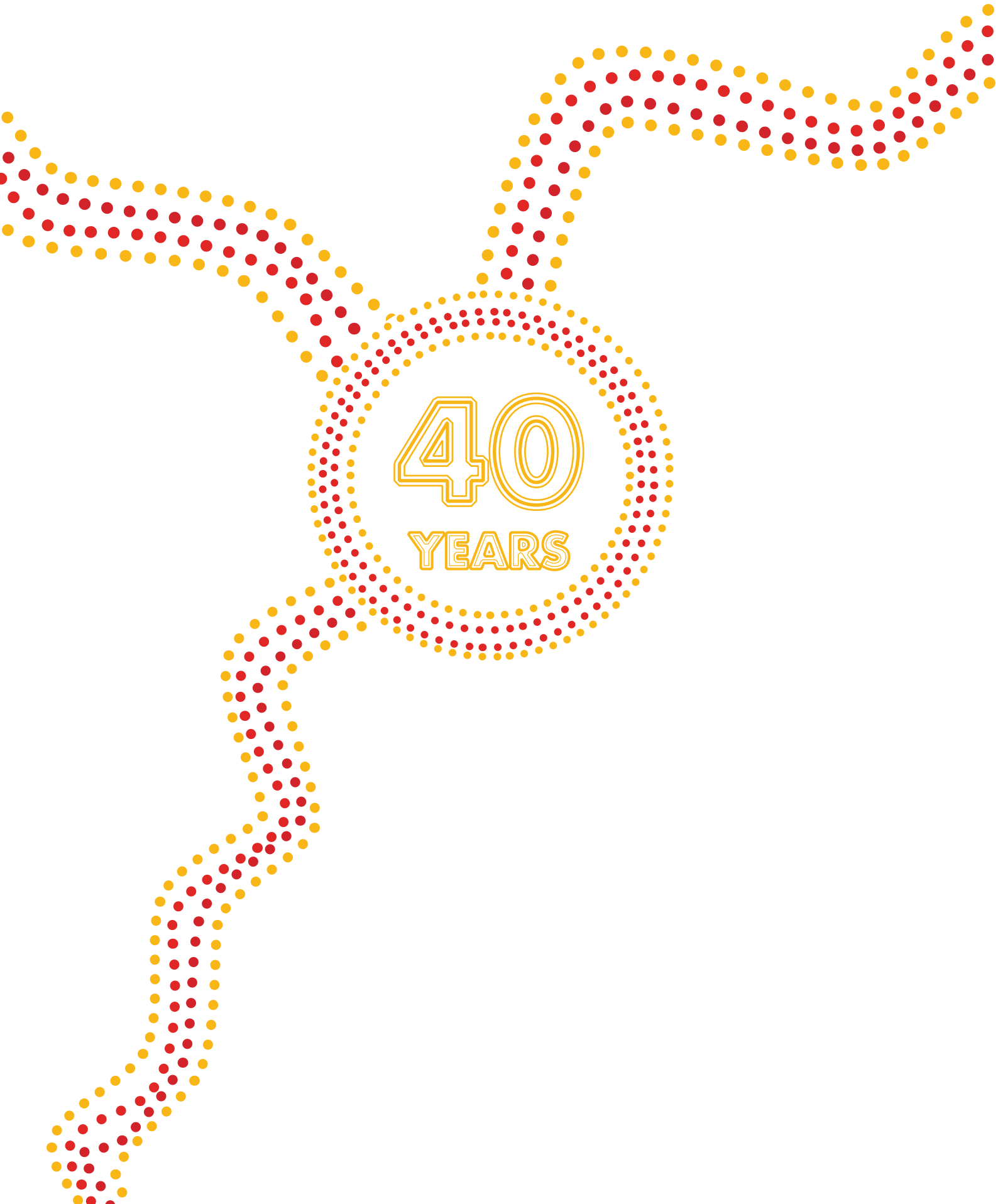
CELEBRATING

40 YEARS OF

ABORIGINAL LEGAL SERVICES

IN THE TOP END

1972 to 2012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The Roots of the ALS

In 2013, in the Darwin Casino Ballroom, NAAJA Managing Criminal Solicitor David Woodroffe greeted a crowd gathered to celebrate 40 years of Aboriginal legal services in the Top End with these words:

> *"Trying to provide a definitive history of Aboriginal Legal Aid Services is akin to looking down a well and trying to decipher what is at the bottom."*

It was 1972 when the Northern Territory Aboriginal Legal Service opened its doors in a room off the back of the Hotel Darwin. But the story starts long before then.

The roots of the Aboriginal Legal Service are planted in battles that began a century and more before the ALS appeared. The multiple injustices Aboriginal people fought before the 1970's – legal, political and social - are an important part of the story of Aboriginal legal services. These injustices explain why an organisation dedicated to the rights and representation of Aboriginal people in Australia's legal system was – and remains - essential.

In his speech, David reminded the audience of discriminatory laws like the 1937 Lameroo Bath Regulations which governed the swimming baths at the bottom of Darwin's Esplanade. Regulation 5 provided that:

> *"the Baths shall be open for public use …for each sex or nationality except for full-blooded Aboriginals who shall not be allowed to use the Baths at any time."*

Anyone contravening the ordinance faced a fine of 10 pounds.

David also highlighted the extra powers courts had in the governing of Aboriginal persons on Aboriginal reserves. Native Courts under regulation 7 of the Native Administration Ordinance could impose an additional punishment on males aged over 16 of a caning of up to 8 strokes with a cane no more than one-half inches in diameter.

Press clippings also give a sense of the world in which Aboriginal people came into conflict with 'whitefella' law before the ALS was formed.[1]

David Woodroffe

1. With thanks to Don Christopherson.

‘Darwin Objects to Half-Caste Umpire’,
The Canberra Times, 14 January 1935

DARWIN, Saturday. The Waratah Football Club comprised wholly of whites, objected this afternoon to the appointment of half-caste umpire and refused to take field with him in charge. Supported by the Royal Australian Garrison Artillery team, which is also comprised wholly of whites, it will break away from the league and only two teams will remain. They will be the Buffaloes (the half-caste team) and the Wanderers a mixed team.

The West Australian, 30 May 1935

DARWIN, May 29th 1935 — The clashing of the black man’s tribal laws and the white man’s penal code was the subject of a long discussion to the Darwin Supreme Court today, when three natives, Peter, Long Jack and Snyder, were each sentenced to five years’ imprisonment for wounding Noble, an Aboriginal, with intent to murder him. Mr. W. E. H. Stanner, an anthropologist, who was a witness, criticised the application of the white penal code to tribal crimes, and suggested a thorough overhaul of the system of punishment for natives. Peter told the Court of the form of tribal sorcery known as ‘pointing the bone’ which had allegedly killed a native named Jerry and for which he and the other accused were ordered to kill Noble.

The Court opened first at the Darwin Courthouse, where the charge was out lined, and then adjourned to the isolation ward of the Darwin Hospital to take evidence from Noble, who has been declared a leper. The Judge, counsel and the Clerk of Court each donned white robes, dispensing with the formalities of wig and gown. After the hearing at the hospital was concluded, all those who had not donned white robes were sprayed with formalin solution as a precaution against infection.

At the conclusion of the case, Judge Wells, remarking that the minimum sentence provided was three years and the maximum life, imposed five years on each of the accused. He said that it could not be hoped that it would do them much good, but it might be an indication to blacks that they must have some respect for the white man’s laws. ‘We have to do the best we can with the facilities we have,’ he added.

Mr. Stanner: I think a complete over haul of the penal system as it affects natives is necessary. After a

The West Australian, 30 May 1935 (Cont.)

gaol term the natives return to their districts suffering no social stigma. They regard gaol as a pleasant educative process and the black who returns is regarded as something of a hero. The present type of punishment is by no means effective nor a deterrent.

'Darwin Natives Go On Strike for 2 Pounds a Week Wage Rise', *The Herald,* 28 November 1950

Darwin, Tuesday. All natives in the Darwin area have gone on strike. They say they are under paid and are claiming an all-round rise of 2 pounds a week for women as well as men.

This is the biggest and best-organised strike ever conducted in Darwin. The natives who belong to a dozen different tribes include municipal workers, house servants, police trackers, laundrymen and labourers. About 200 are involved. The Native Affairs Branch requires householders to pay their servants at least 5 shillings a week. Most get 10 shillings some get up to 30 shillings in Government departments and the Defence Services are paid 30 shillings a week. Householder's employing natives feed and clothe them provide their tobacco and picture money for the talkies once a week.

A Natives Affairs Branch officer said today that if a 2 pound increase were granted there would be no jobs for natives as householders who employed two could not afford 5 pounds a week for servants on top of the already extremely high cost of living in Darwin.

Natives organised themselves for the strike and then consulted officials of the North Australian Workers Union. They have appointed leaders from each tribal group from places like Millingimbi, Bathurst Island and Daly River. A spokesman for the NAWU said today that his Union would support the native's demands if asked. The strike is believed to be organised by a Wargaitj tribe native who was recently in trouble with the police and had to be banished to a penal settlement. Many of the native's say that they are undeterred by the threats that if they stayed on strike, that their leaders would be sent to Beswick Station about 300 miles from Darwin. 'If anyone is sent to Beswick then we will all go,' one said.

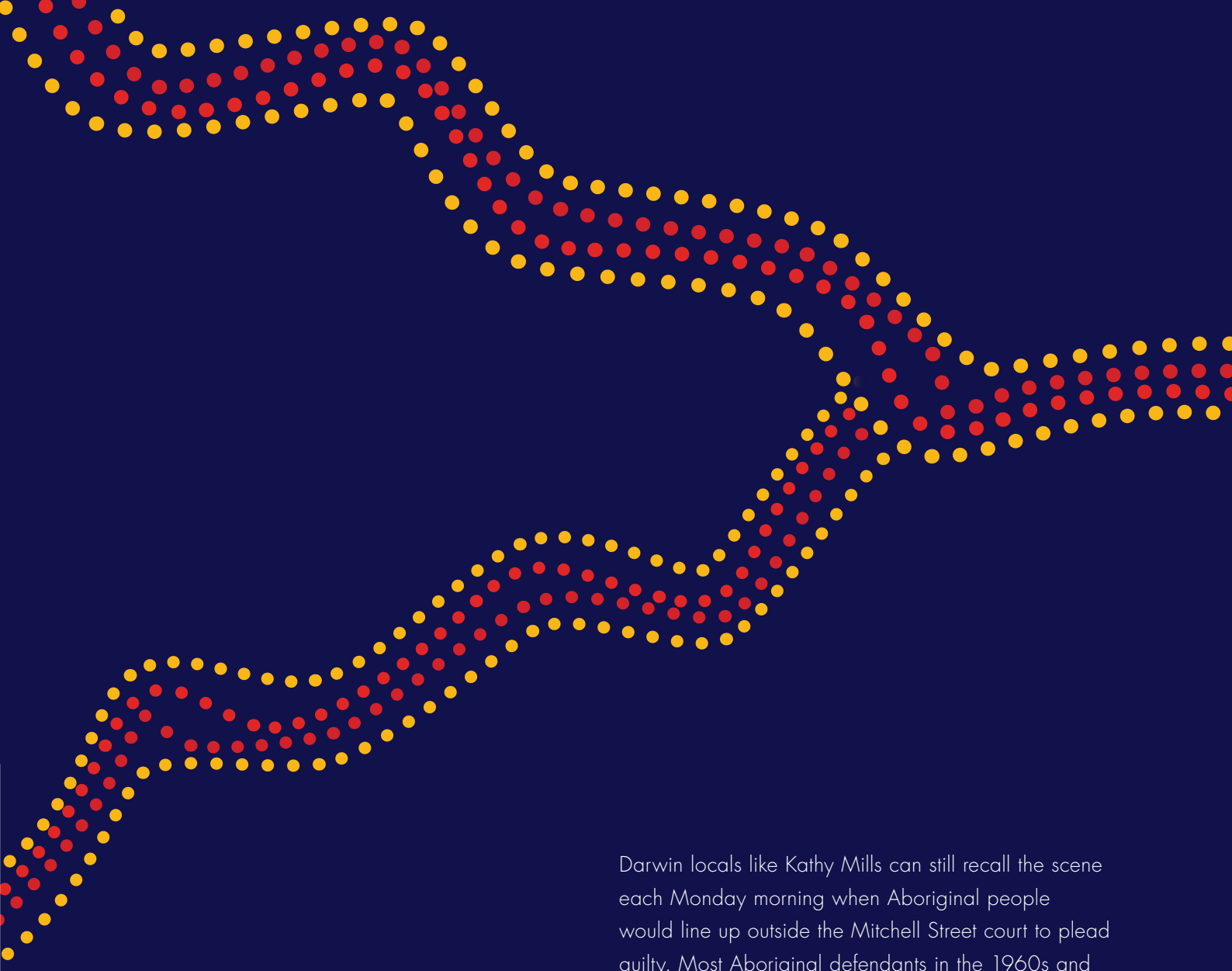
Darwin Aboriginal Civil Rights Activist, Mr Jack McGinnis, *Northern Standard,* 9 March 1951

> *"We want full citizenship rights. We will not tolerate this Dog License system any longer. At the rate we are going we may have to consider whether we shouldn't apply for naturalization papers and this in our own land".*

'Native Who Eats Like White Man Not an Abo', *Northern Territory News,* 29 December 1956

DARWIN, Friday - A magistrate in Darwin Court today ruled that a native boy could not be classified as an Aborigine because he 'ate with a knife and fork like a white man.'

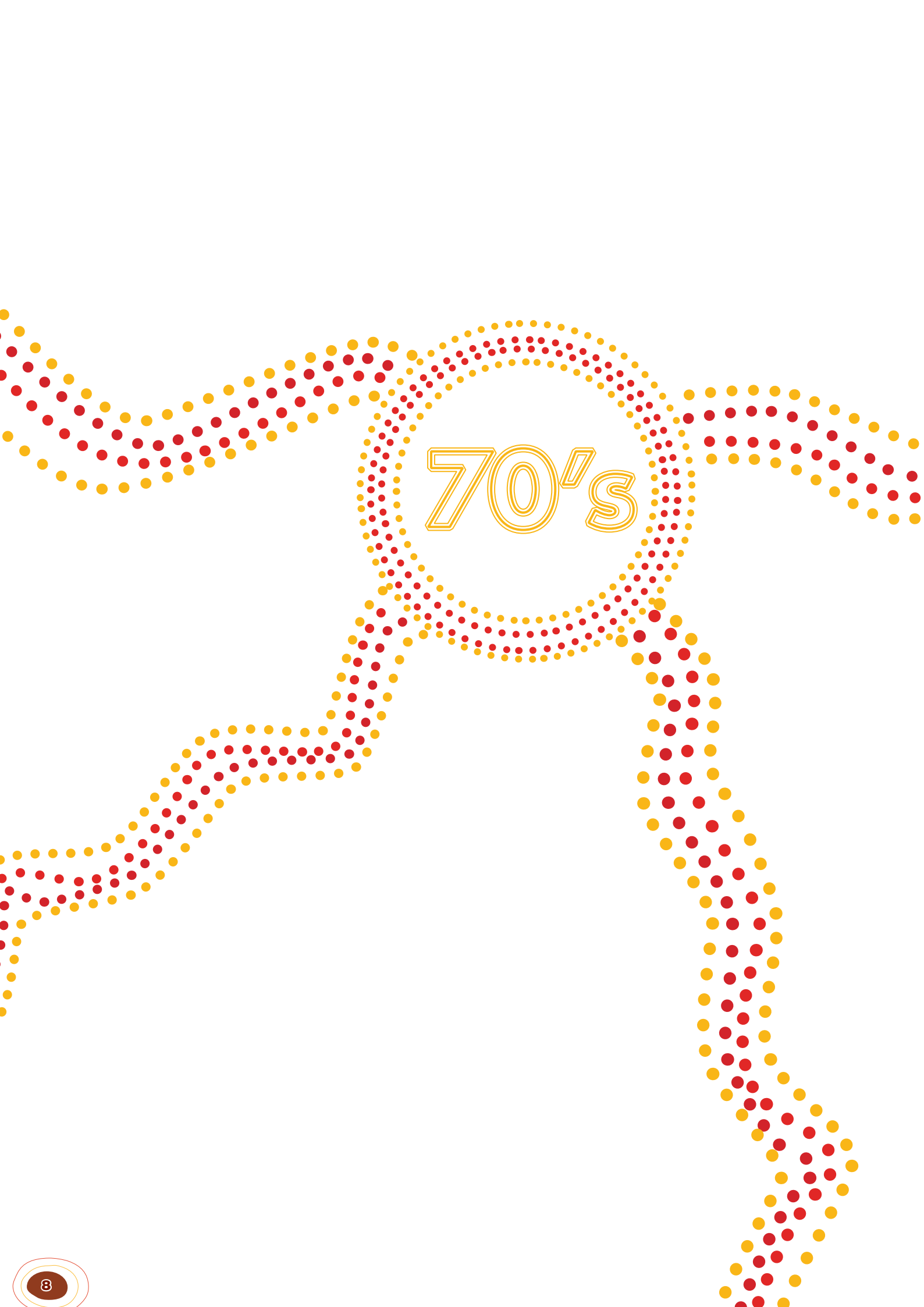
Before the court was native half-caste, Charlie Illawarra, charged with supplying liquor to an Aborigine. Police alleged Illawarra had admitted selling a bottle of wine for 10/- to a native named Sydney. Mr J.W. Lyons (for Illawarra) submitted Sydney could not be classified as an Aborigine under Section 60 of the Aborigine Ordinance because he did not live like one. Sydney told the court that since leaving Oenpelli Mission Station recently he had eaten 'white man's tucker'. He ate with a knife, fork and spoon off a plate and drank tea from a cup. He slept in a bed, and had a room to himself. The magistrate, Mr. S. Dodds S.M., said he had no choice but to dismiss the charge against Illawarra.



Darwin locals like Kathy Mills can still recall the scene each Monday morning when Aboriginal people would line up outside the Mitchell Street court to plead guilty. Most Aboriginal defendants in the 1960s and early 1970s were unrepresented in summary court matters unless they had an income or had connections through sport with local football or rugby clubs to access such barristers as Tiger Lyons or Dick Ward. Most defendants appearing before the Stipendiary Magistrate pleaded guilty and were dealt with by a police prosecutor and fined.

For Aboriginal people who were considered 'wards of the state' (because, for example, of their 'manner of living'), the court could permit their representation by counsel or a welfare officer. For those before the Supreme Court, they may have been eligible for legal assistance under the Poor Persons Legal Assistance Ordinance (1935).

Kathy Mills


70's

The 1970's: An Aboriginal Legal Service in the Northern Territory

The creation of an Aboriginal legal aid service in the Northern Territory came in the midst of great energy and action in the pursuit of Aboriginal rights across Australia.

Aboriginal people had campaigned strongly through the 1960s for equal wages, land rights and self-determination. The Yirrkala Bark Petition, the Larrakia Petition (signed by 1000 Aboriginal people from across Australia and sent to Her Majesty Queen Elizabeth II), the Wave Hill Walk Off and the 1967 referendum for Aboriginal people to be counted in the census all came out of these years.

The fight continued in the 1970s with the establishment of the Aboriginal Tent Embassy at Parliament House in Canberra; a blockade of Darwin's Bagot Road as part of a protest for land rights and justice for Aboriginal people; and the beginning of the homelands movement with Aboriginal peoples moving back onto their country.

The first ever Aboriginal Day march was held in Darwin on 14 July 1972. The NT News reported 150 Aboriginal people and 50 non-Aboriginals (including a group of hippies know as the Lameroo Campers), 'united in their fight against discrimination, and seeking representation on Government bodies deciding their future'. Dick Ward and Bruce Alcorn spoke at the rally about the need for greater consultation with Aboriginal people in the areas of justice and police.

In 1970, Australia's first Aboriginal Legal Service opened its doors in Sydney's Redfern, staffed initially by volunteers and then as a funded legal service from 1971.

Roy Harding (PLO 1972) with Jonathon Hunyor (PLO 2012)

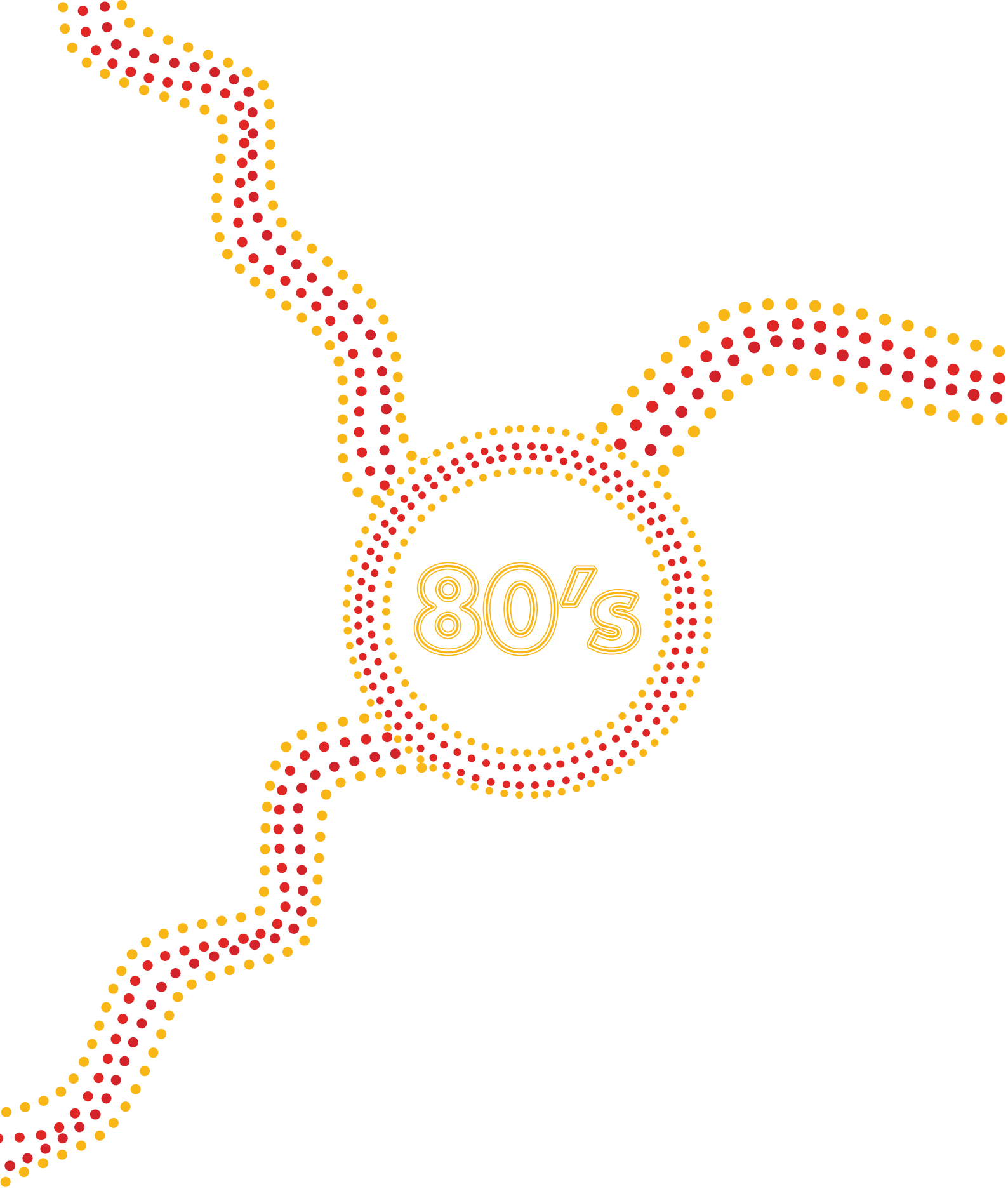
In 1972, a fledgling Aboriginal legal aid office opened up in a room off the back of the Hotel Darwin. The office was staffed by field officers Bob Euland and Johnny Assan, legal secretary Deanna Roberts and Roy Harding as the first permanently employed lawyer. The service represented hundreds of clients from communities across the Top End in its first twelve months and, with the rest of Darwin, weathered the terrifying force of Cyclone Tracy.

In 1973 the Central Australian Aboriginal Legal Aid Service (CAALAS) was formed in Alice Springs. The Darwin service took the new name of the North Australian Aboriginal Legal Aid Service (NAALAS) and moved to premises in Bennett Street / Austin Lane (a waterlogged, crowded building known to some as the 'Bennett Street brothel') where it stayed until the early 80's.

Aboriginal staff members in the early NAALAS years included Maddie McIntosh, June Dowling, Dawn Cardona, Richard Baugh, Bill Garling, David Guy and Eddie Mulholland.

Lawyers in these years included Neil Halfpenny, William Morgan-Paylor, Dyson Hore-Lacy, Reg Keating, Frank Vincent and Geoff Eames. Bush court rounds in these years took lawyers to Katherine, Nhulunbuy and as far afield as Wyndham in Western Australia.

Maddie McIntosh


80's

NAALAS in the 1980's

In 1981/2 NAALAS moved from Bennett Street to 1 Gardiner Street where it remained for the next 30 years bunkered down in a squat concrete office block.

Many passionate young lawyers worked for NAALAS in the early years of Gardiner Street including Principal Solicitor Colin McDonald, Greg Borchers, Jenny Blokland, Simon Treloar, Tony Fitzgerald, Suzan Cox and David Parsons. Tony Fitzgerald and field officer Johnny Bonson provided legal services for Katherine. Dennis Norman (a former Scotland Yard bobby), Gordon Bauman and Bill Sommerville followed Colin McDonald as Principal Solicitors at NAALAS.

David Parsons and Tony Fitzgerald

Nicola MacCarron, Suzan Cox, Caroline Snell

Jenny Blokland, now Justice Blokland of the Northern Territory Supreme Court, took lessons from her time at NAALAS that strongly colour the advice she now gives to lawyers starting their careers:

> *"I often recommend young lawyers with a passion for justice spend some of their time working for NAAJA or a similar Aboriginal legal service. The value of the advocacy of the Aboriginal legal services cannot be underestimated. Lives have been transformed by both those providing the advocacy and for the people who need it. I am grateful to NAALAS (as it was in 1981) for giving me the opportunity to contribute to its work and for the many life" long friendships made. It was a privilege to work for and with Indigenous people. Oh, and how cool is 'bush' work? There is nothing like it."*

Justice Blokland

Colin McDonald & Voleak Rattanak

Colin McDonald in Wadeye with Elders Group 1982

Colin McDonald QC describes arriving in Darwin in 1981 to take up the position of senior solicitor with few belongings beyond Manning Clark's History of Australia and W.E.H Stanner's book of essays 'White Man Got No Dreaming.'

Colin reflects:

> *"The formation of Aboriginal Legal Aid services in Darwin and Alice Springs in the early 1970's was part of a national awakening and response to the historic injustices inflicted on Indigenous people. The formation of NAALAS and CAALAS was part of the rejection of the history of indifference to the plights of Aboriginal people and an attempt, in practical terms, to reverse their powerlessness."*

The 'practical' work of enacting these ideals did not always play out smoothly, as Colin discovered in his first day on the job.

Colin McDonald at Wadeye 1982

"Field Officer Maddie McIntosh burst into the director's office exclaiming:

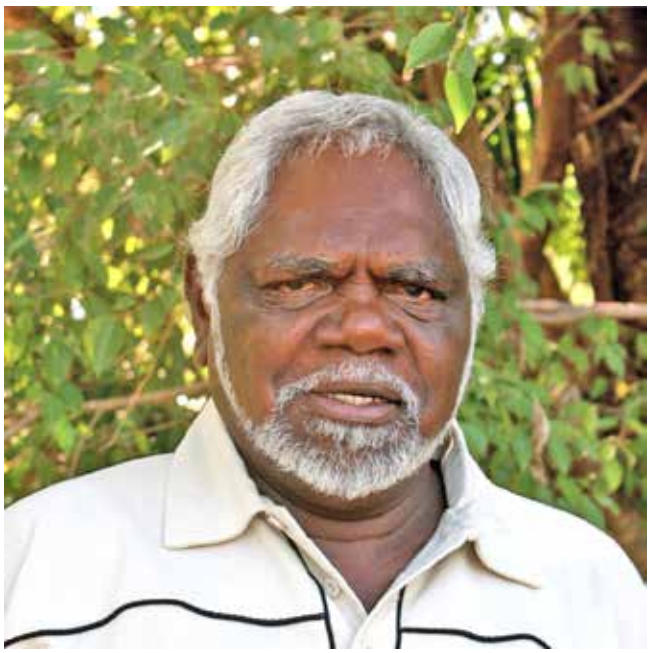
'The Judge is cracking the shits up at the Court House because there are no Aboriginal Legal Aid Lawyers present.' The only remaining lawyer in the service at the time, Greg Borchers, was engaged in the Magistrates Court. So, unexpectedly I accompanied Maddie to the old Supreme Court House (where the Legislative Assembly now stands) in court number 1 where Justice Gallop was presiding. As I was not admitted to practice in the Northern Territory and wearing only shorts, sandals and a casual shirt, I lingered uncomfortably with Maddie near the entrance door.

'Ah' said Justice Gallop 'I hear a lawyer from NAALAS has deigned to come to this Court' as he flashed his annoyed eyes towards Maddie and I. 'Come up to the Bar Table' came the peremptory demand. I responded awkwardly with words to the effect that I had only just arrived and was not admitted. Not pleased, Justice Gallop asked insistently: 'Have you got a Law degree?' I responded that I did and was a member of the Victorian Bar. 'Very well then. If you look to your left to the dock you will see three young men. Up here we call them 'your clients'. Their trial starts next week and I am not disposed to grant any adjournments".

Jenny Blokland remembers particularly the central role played by the Aboriginal staff at NAALAS and their invaluable social and cultural knowledge. She recalls:

"Field officers like Maddie Macintosh were always such an inspiration and such fun. Our trips to Groote Eylandt and Nhulunbuy were truly an education for me as a young legal practitioner and were often a great part of my social education in the Territory as well.

In those days, coming home from Groote we would often be looking forward to a G&T and we would be directed to the back of the plane. Maddie never missed a chance to say to the flight crew: "Yeah



Banambi Wunungmurra

we know – blacks at the back" as we made our way to the back of the plane…

It was a real breakthrough when we finally got a hire car on one Groote trip. I woke thinking that someone was having trouble starting the car but it was a young bloke from Groote who had hot-wired the car and took off, but then wrapped it around a tree next to the guest house. Needless to say we never got another hire car on Groote.

June Dowling was another person who just seemed to do everything at NAALAS then, she was the client wrangler in chief, organised the office, the solicitors, welfare work, field work, the list went on and on.

I can still remember June helping to get a particularly anxious mum and kids to the Children's court as it was then – she did it with such humour and good nature. She was always getting one more client to fit into the car and getting them to court so they could meet their obligation to appear.

'You're right', she'd be saying, 'just go with the lawyer'. She had no fear – she'd be dealing with police, lawyers, clients, longrassers who lived out the back of the office, all in the same humorous, slightly bossy way. She was great and I really want to acknowledge her contribution.

Another of the really great people I worked with was Banambi Wunungmurra in Nhulunbuy. He was endlessly patient with me as a young lawyer learning the intricacies of the Yolngu system and he was still fulfilling that role when I returned as a magistrate to Nhulunbuy many years later.

Banambi was an interpreter, NAALAS board member, general court adviser and I still remember how he would tell me to stop the car on the way back to Yirrkala because he a had seen a frill-necked lizard and wanted to chase and catch it.

Importantly he was also able to prevent a number of legal catastrophes when he prevented the wrong person from standing up and pleading in place of the true defendant to the wrong charge. Years later he was made a Justice of the Peace along with the late Dr Marika to acknowledge their position in both systems".

NAALAS saw its share of controversy in the 1980's, with events such as the 'Lawyers Strike of 82' in which lawyers threatened to cease work over concerns about governance. Jenny Blokland remembers:

"In Darwin at that time, many of the Indigenous organisations were still organising themselves and they were tumultuous times – on the day Colin McDonald arrived at NAALAS, Greg Borchers was sacked, only to be re-employed the next day for which Colin and I were very grateful.

We had strikes and sit ins, demonstrations, we even opposed the introduction of the Criminal Code! All those sorts of things seemed to be part of the political times then. It was active and exciting".

NAAJA Katherine Office

Formation of the Katherine Regional Aboriginal Legal Aid Service (KRALAS)

Until the mid-1980's NAALAS also serviced the Katherine region's Aboriginal legal needs. Court sat in Katherine twice a week with a magistrate from Darwin travelling down. The Katherine Courthouse was within the Police Station, where the current Courthouse now stands, on the corner of First and Giles Streets.

Aboriginal people in Katherine were determined to have a quality legal service based in the region and in 1985 the Katherine Regional Aboriginal Legal Aid Service Inc (KRALAS) was formed.

The first KRALAS Chairperson was Larry Ah Lin. The first lawyers were Mary Risdale followed by Ken Roddenby. James Grant was the office administrator with field officers Frankie Hayes, Charlie Lee Chau and trainee field officer Graham Campbell. Bonnie Stewart was the secretary and Karen Hill the receptionist. The first KRALAS office was situated in what is now a florist shop on Katherine Terrace. It then moved to Pearce Street before settling in the current famous balcony premises at 32 Katherine Terrace.

Past chairpersons of KRALAS include George Holtze, Eddie Taylor, Kathy Mills, Andy Andrews, Jackie Vincent and the last Chairperson Alan Mole. Many elders and leading men and women sat on the KRALAS Board from communities across the region: the Gulf, the Victoria River District, Central Arnhem and the Tanami Desert.

KRALAS was also instrumental in establishing the Katherine Women's Information and Legal Service in 1995 and the Katherine Aboriginal Family Support Unit in 2000. Both services continue to support Aboriginal people in the Katherine region.

KRALAS was where many fine lawyers forged their talents. Ken Roddenby, David Dalrymple, Glen Dooley, Bill Doogue, Stewart O'Connell, Chris Howse, Julie Condon, Stephen Geary, David Lewis, Peter O'Brien and David Woodroffe are just a few. The combination of busy lists and a large service footprint – covering from Ngukurr and Borroloola in the east to Timber Creek and Lajamanu in the west – has meant that it

has always been one of the busiest legal offices in the Northern Territory.

Many exceptional Aboriginal staff worked at KRALAS including Michael Devery, Phillip Illin, Lavina Murray, Chrissy White, Eddie Chisholm, Tracey Castine, David Ross Jnr, Annette Hayes and Juanita Busch. Foremost amongst them was Graham Campbell who having started with KRALAS as a field officer ultimately served as a Director (1997-2006); and Anne Manfong who started with KRALAS as a secretary before becoming administration manager.

Anne Manfong recalls one of her early days in the office:

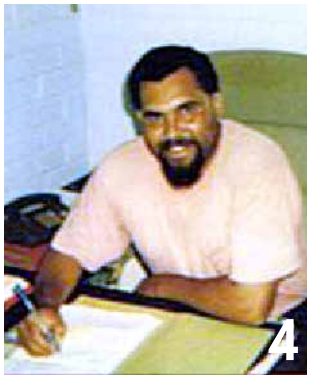
> *"One of our regular clients came up the stairs and was demanding to get a photo ID. Our receptionist said she could not serve him because he was drunk. He started getting very abusive.*
>
> *Jackie Vincent Margoungoun, our Chairperson was walking up the stairs. Jackie heard the commotion and said 'What's going on here?' Jackie tried to calm the client but he continued to be aggressive. He turned to Jackie and started hurling abuse at him.*
>
> *Our office at that time was open plan and we had no security. Jackie went into Graham Campbell's office where he had a collection of artifacts on display including boomerangs and spears. Next thing I see Jackie come out with a spear to warn the client off! As I turned to Jackie, the client came rushing toward him. Jackie and the client crashed together and fell on top of the receptionist desk. There was a scuffle and I ended up yanking the spear out of Jackie's hand. The client took off and the police were called. I can't say it was an ordinary day in the office, but it was one I won't forget!"*

Back: *Beth Midgley, Ian Woods, Stephen Geary, Gus Bernardi*

Middle: *Alex Johns, Erica Rennie, Max Frew, Tracey Castine, Kiarna Murray, Tahnee Clarke*

Front: *Anne Manfong, Graham Campbell, Henry Higgins, Lavina Murray*

Graham Campbell, Anne Gregan, Edwina Jones, Fiona Kepert, Lavina Murray, Matt Panayi, Tracey Castine, Henry Higgins, David Woodroffe, Volunteer, Ian Woods



1. *Joyce & Eddie Taylor*
2. *Graham Campbell*
3. *Tracey Castine & Lavina Murray*
4. *Phillip Illin*
5. *Anne Manfong*

Glen Dooley & Graham Campbell

Glen Dooley

Former KRALAS lawyer David Dalrymple credits Graham Campbell's steady input and guidance as a major source of stability for KRALAS over many years: 'long on experience-based pragmatism, short on idealism / political correctness, always with an eye to helping out the underdog'. Dalrymple remembers:

> *"But the key factor in the organisation's success was the responsible and diligent work carried out by sequential teams of governing committee members. Aboriginal people, some from Katherine itself but most from the various Katherine Region communities between the WA and Queensland borders, some of them very remote, requiring long vehicle journeys to attend meetings. I was always impressed [at these meetings] with the fairness and patience demonstrated by the elected members. Whether the issue was an administrative or staffing issue or some matter of complex Territory or national policy or legislation affecting KRALAS' constituents, they usually got to grips with both the detail and the wider context and managed to arrive at the right decision".*

Another former KRALAS lawyer Glen Dooley recalls:

> *"Graham Campbell really was KRALAS. He would occasionally wind us lawyers up by declaring that KRALAS was at its best when the service consisted of a receptionist, a secretary and Graham – no lawyers at all! Graham said he sorted out the cases and would enlist local Katherine private lawyer Bill Sommerville (later of NAALAS) to act if needed. Graham was tremendously supportive of his staff and created the inspiring family atmosphere that was KRALAS' trademark. As years went on, a strength of Graham's work was his ability to induct lawyers and students from 'down South' into life in the Katherine*

Graham Campbell & Walter Rogers

region ensuring they had some practical knowledge to wed to their legal skills".

Graham Campbell continues to be regarded with great affection and respect for his work with Aboriginal legal services in the Katherine region. One of his strongest memories of KRALAS is a field trip he took to Ngukurr in the middle of the wet:

"A boat picked me up at the Roper Bar, we went to Ngukurr, I done what I had to do, then an old Elder was taking me back to Roper Bar when the boat broke down and the tide was going out very fast. Our boat became jammed on a log and the water was starting to come in. I was looking at the bank to see where to swim when I saw a crocodile trap and a very large saltie hanging around it. The Roper Bar shop boat came around the corner and pulled us off the stumps. They took me with them back to Roper Bar, leaving the old man to drift back to Ngukurr landing!"

90's

The 1990's

By the 1990s many former ALS lawyers and members had become magistrates, judges and office holders in government departments and agencies around Australia. The Aboriginal Legal Service continued taking the challenge of access to justice for Aboriginal people to political and legal leaders.

The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) had begun in 1987. Maria Corpus was a legal secretary at NAALAS and remembers providing reports to the Commission on every region that NAALAS serviced. Resources were so tight Maria hand wrote her reports.

One of the Commissioners of the RCIADC was former NSW Supreme Court Judge, Hal Wootten who, as law professor had helped found the Redfern Aboriginal Legal Service. The Commission handed down its final report in 1991. Its archive of documents reached to 200 metres of shelving.

Another important historical development of these years was the creation of ATSIC in 1990 as a national Aboriginal body overseeing Aboriginal affairs.

One of the biggest fights of the 1990's for the Aboriginal legal services was the introduction of mandatory sentencing for property offences in 1997.

The laws saw many first-time offenders jailed for 14 days and had a disproportionate impact upon Aboriginal people. For a second 'strike' offenders were locked up for 3 months and for a third 'strike' the penalty was 12 months. Amongst the many injustices was the infamous case of a homeless Aboriginal man going to jail for a year for stealing a bath towel from a clothes line.

The Aboriginal legal services campaigned hard against these laws on all fronts. They prepared cases studies for the media, mounted numerous court challenges to mandatory sentences, took to the streets in protest and took a case to the United Nations.

Mandatory Sentencing Rally outside the courthouse

Stewart O'Connell

Lawyer Stewart O'Connell remembers those four years of mandatory sentencing as simultaneously being the most exciting and devastating period of his working life:

> *"There was a massive 'us versus them' vibe at the time, with the 'us' being the ALS and our clients, and 'them' being the Government, Police and Courts. NAALAS and KRALAS became an incredibly strong and bonded force of nature. We fought everything and the defensive creativity peaked like never before. The anger we all felt at the injustice of this legislation was palpable and we took the gloves off and smashed against it any and every way we could. There were many bitter encounters with the opposition and wars of words in the press (one memorable exchange recorded in the NT News letters pages involved myself and Jonathon Hunyor – at that time a lawyer at NT Legal Aid – in a war of words with the wife of the Chief Minister, Josephine Stone). It was exciting to be part of that fight but devastating to be part of the big losses. I personally represented Margaret who eventually went to jail for 14 days for pinching a can of beer from Top Springs Roadhouse after we fought her case all the way to the High Court; and Jamie who went to jail for 12 months for stealing biscuits and cordial on Christmas Day from the Gemco Mining Company mess. I also juniored Johnny Lawrence in the inquest of JW, who hung himself at Don Dale after getting a 28 day mandatory sentence for graffiti. The whole situation was totally f-ed but I am enormously proud to have been part of the organisation that took the authorities on and eventually inspired public opinion against this despicable legislation".*

The Aboriginal legal services' campaign against mandatory sentencing was instrumental in shifting public attitudes and creating the necessary political pressure to force change. Ultimately, the Howard government pressed the NT government to modify the laws. The ALP pledged from opposition to repeal them and on taking office in 2001 they did.

In the late 1990's, NAALAS controversially challenged the appointment of the Chief Magistrate Hugh Bradley on the basis of political interference in the process of appointment. The challenge was ultimately unsuccessful

before the High Court, but the case showed NAALAS ready to take on important matters of principle and public interest. Michael Jones, Principal Legal Officer in these years, is well-remembered for his passion for the case as well as his tireless good humour in the office.

The work of the Stolen Generation Legal Unit at NAALAS was also particularly significant during this period. NAALAS ran both the High Court case of Kruger v The Commonwealth ('the Stolen Generation Case') and then the Federal Court case of Cubillo and Gunner v The Commonwealth to gain recognition for the harm caused by government child removal policies and to seek compensation for its victims.

NAALAS also brought reform to the Northern Territory's mental health system in these years, freeing Aboriginal patients from the notorious Ward 9 at Royal Darwin Hospital in which people with mental illnesses were indefinitely detained without proper independent oversight or review.

Maria Corpus says of her work with NAALAS in these years:

> *"To have been part of such a diverse legal service that continues to fight tooth and nail for justice and legal rights for our Aboriginal and Torres Strait Islander clients, at a professional and at the highest level throughout the NT and beyond, has been a privilege".*

Some of the lawyers who worked for NAALAS in the 1990's included Bill Sommerville, Glen Dooley, Will Stubbs, Robert Allen, Jenny Hardy, Melanie Little, Chris Howse, Kate Halliday, Richard Crane, John Duguid, Mary Allan, Chris Boyce, Campbell Thompson, John Sheldon, Kirsty Gowans, Julian Johnson, Phillip Strickland, John Hughes, Nick Batten, Michael Robinson, Matthew Storey, Scot Corish, Koulla Roussos, Peter Collins, Charmaine Gibson and Brian Cassells.

Principal solicitors during the 1990's were Gordon Baumann, the indefatigable John Lawrence (now SC and one of the Territory's leading silks) and Michael Jones. CEOs included Teresa Francis, Gordon Renouf and Veronica McClintic.

Maria Corpus

Brian Cassells

John Lawrence

Michael Jones

Glen Dooley

Glen Dooley (who spent the 1990's as a lawyer at both KRALAS and NAALAS) recalls there were a couple of periods of considerable turmoil at NAALAS:

> *"The waters were occasionally choppy with staff turnover and funding problems. Lack of staff (both lawyer and non-lawyer) meant close to untenable workloads that tested stress levels, staff relationships and the patience of the clients. In the early to mid 90's NAALAS often had just two lawyers down at the Darwin Magistrates Court each day, to tackle the duty list (each Tuesday and Friday two duty lists – adult and kids) and the other often juggling two or three hearings and a committal or two.*
>
> *Most of the lawyers gave their all but what was really crucial was the guiding hand of the experienced field officers and the generous support of our clients and their families. The clients recognised that efforts were being made on their behalf under pressure and if you were a fair dinkum lawyer having a crack you were indulged and supported. Many was the time that a client would give a lawyer a good wrap when the outcome was still hard to swallow. The Aboriginal people of NAALAS' area genuinely backed the NAALAS staff with real affection. So many relationships were forged in the fire and by supporting the staff, the best was made of many bad situations. For some clients and families the positives drawn from the battle often transcended the outcome. The great humour of so many of our clients also was a precious pressure valve.*
>
> *It must be said that the arrival of the Howard Government in 1996 led to a funding increase and that married to the work of John Lawrence in re-establishing a solid NAALAS presence in the Supreme Court saw NAALAS pick up. 1997 was a trying year as political upheaval at Board and senior management level took a toll. However, again, the strong bond between the organisation and the community saw it through".*

Kenny Hewitt, Shahleena Musk, Steve Miller, Russell Zammit, David Woodroffe, Maria Corpus, Aunty Kate Hutcheson, Laura Hopkins, Brian Cassells, Aretha Gabelish, Sharon Payne, Will Payne, Nick Espie, Ron Holdsworth

Aboriginal lawyers also began to make their mark in the Northern Territory in the 90's. Kevin Kitchener, David Woodroffe, Veronica McClintic (who was later to become CEO), David Saylor, Nick Espie and Shahleena Musk all cut their teeth at NAALAS.

Veronica McClintic recalls her great pride in the number of Aboriginal lawyers employed by NAALAS in these years and the work they did for their clients:

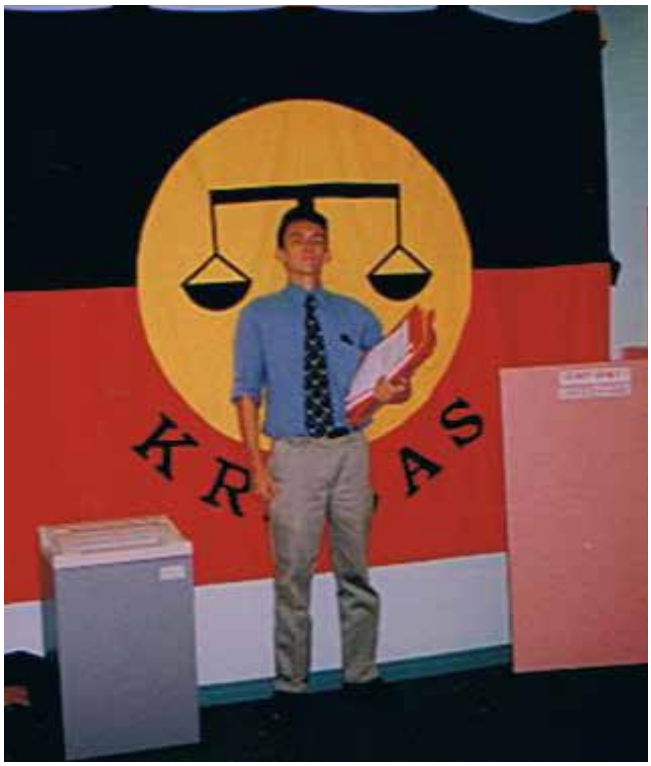
> *"I feel that it is so important to support Aboriginal and Torres Strait Islander graduates by employing them and allowing them to accumulate experience so that they can go on and contribute towards making positive changes in their communities".*

Bronwyn Davey, Lindsay McGuines, Jeffrey May, Rhonda Stott, David Woodroffe, Tina Busbridge, John Hughes, Kenny Sutton, Tasha Quall, Maria Corpus

It is probably fair to say that for most people, working at an ALS is more a calling than a job. Nobody does it for the money, and it is the sense of being part of something that keeps you going when things are really tough. Stewart O'Connell remembers:

> *"I grew up in Darwin with Aboriginal family. I knew from early on that all I wanted to do once I finished law school (at the now demolished old Darwin*

Veronica McClintic



Stewart O'Connell

Hospital building at Myilly Point) was work at NAALAS. I recall approaching the two strong Aboriginal ladies who were running the show back then, Teresa Francis and Roseanne Brennan, and begging for a job. It was 1995, I was 23 and had just completed articles. They said they had no money for another lawyer (they had a total of 5 criminal defence lawyers then, including the principal). I said, 'well how much have you got spare?'. They said '$18,000'. I said, 'I'll take it'.

I turned up the Monday after and was given a pile of files and told to go and be the solo duty lawyer for the day. Faaark! I recall in that first fortnight being yelled at by Magistrate Jim Hannan and my older firebrand colleagues Glen Dooley and Michael Robinson. That was how things rolled back then. But all my clients were grateful when they had no cause to be. Thankfully I didn't sink and I worked my arse off for the next 10 months getting around $550 a fortnight. I began to earn my stripes and some respect. Although the other lawyers (who were all in their 30's and 40's) did christen me 'Rugrat', 'Ruggy' for short and that stuck for many years!

In July the following year I took a job at KRAALAS (that had 2 criminal defence lawyers including the principal) and doubled my salary overnight (I bet that has only happened once in NAAJA history). I now consider NAALAS, KRAALAS, CAALAS and NAAJA an integral part of my life. I consider many colleagues and clients close friends, if not family. The organisation has moulded me into the person I am today (mostly in positive ways) and I will always be grateful to it. Through it I have been fortunate to have had so many awesome and incredible experiences and done so many unique cases. There are too many people, experiences and cases to speak of individually but I'll finish by saying that the times I spent working with the various Aboriginal legal services in the NT remains to this day the best times of my working life".

Maria Corpus & Aunty Kate Hutcheson

There were many great mentors amongst the NAALAS field officers and secretaries in the 90's: Aunty Kate Hutcheson, Maria Corpus, Richie Fejo, Kenny Sutton, Michael Devery, Tasha Quall, Rhonda Stott, Tina Busbridge and Eddie Mulholland who shepherded the young Aboriginal lawyers and their colleagues.

Eddie Mulholland is now the CEO of the Miwatj Health Aboriginal Corporation. He remembers:

> *"NAALAS was the first office job I ever worked in. I was a Field Officer from about 1992 to 1995. Prior to this I was a construction worker building railway lines, mining, building construction, and as a fisherman diving for crayfish and pearls. You can imagine the culture shock I got having to work with lawyers and sit in the court house with magistrates and judges. I really enjoyed my time working at NAALAS and met some really great people: elders like Aunty Katie Hutcheson.*
>
> *The funniest experience I had with NAALAS was when David Dalrymple and I turned up at Port Keats Police station to collect the paperwork for the court session the next day. The Police Sergeant pulled David aside and said to him: 'Can you get these boys out of our lockup?' David replied: 'That is what we are here for. We will sort it out in court tomorrow.' The Sergeant then said: 'These boys are not attending court tomorrow. They have committed no crime.'*
>
> *We discovered they had locked themselves in the cell and refused to come out. They wanted to go to jail in Darwin because they'd get regular meals and a good gym.*
>
> *That stuck in my mind: that life must have been so bad in their community they preferred to live in a jail at Darwin".*

Vernon Patullo & Veronica Assan

The Miwatj Aboriginal Legal Service

In 1996 the ATSIC Regional Council established Miwatj Aboriginal Legal Service to provide a strong, locally controlled Aboriginal legal service for the East Arnhem region. One of the services major goals was to reduce the incarceration of Aboriginal people in the region and ensure that the recommendations of the Royal Commission into Aboriginal Deaths in Custody were implemented. It also sought to ensure that clients were having their matters dealt with in their local region.

Mr Wali Wunungmurra was the first Chair of the Miwatj Aboriginal Legal Service Committee. Other founding members were Vernon Patullo, Sharon Mununggurr, Theresa Yunupingu, Vicki Darr, Mr Y Maymuru, Tony Wurramarrba and Andrea Collins. Mr Patullo, Ms Darr, Mr Maymaru and Ms Collins remained on the Committee throughout the life of Miwatj and Mr Patullo went on to serve as its Chair. ATSIC Regional Council Chair, Banambi Wunungmurra, also served as Chair of Miwatj.

The first staff at the Miwatj service were solicitor Graham Carr, field officer Buwakati Mununggurr and office manager Joanne Assan.

The work of Miwatj was continued by lawyers Selwyn Hausman, Cathy Kerr, Christine Robinson, Peter Zucchi and Fiona McAdam, office manager Laura Hopkins and field officer Eddie Chisholm.

NAAJA Nhulunbuy staff - Joanne Assan, Buwakati Munungurr, Laura Hopkins, Marlene Dixon & Natalija Cavar

Kathleen Hutcheson, Maria Corpus & Laura Hopkins

Eddie Chisholm

Chris Howse

Jared Sharp

Pete Bellach & Michael Powell

00's

Greg Smith in Lajamanu

Into the 21st Century

One of the most outstanding developments in access to justice for Aboriginal people in the Northern Territory in the new century was the establishment of the Aboriginal Interpreter Service. The Aboriginal legal services had campaigned hard for its establishment against opposition from the NT Government - Chief Minister Denis Burke remarking that 'providing an interpreter service to Aboriginal people is akin to providing a wheelchair to someone who should be able to walk'.

As a part of this campaign, in which lawyer John Sheldon played a prominent role, NAALAS brought a race discrimination claim to the NT Anti-Discrimination Commission on behalf of a client unable to access a qualified interpreter in an Aboriginal language. The campaign finally met with success when the Aboriginal Interpreter Service opened in Darwin on 1 April 2000 thanks to intervention and funding from the Commonwealth Government.

Chris Howse worked both as a criminal lawyer with KRALAS and NAALAS in the mid to late 1990's before spearheading the Aboriginal Justice Advisory Committee from 1999. AJAC played a vital role in holding the NT Government to account through both civil proceedings and by representing Aboriginal families and the wider Aboriginal community at coronial inquests.

Following Michael Jones in the role of PLO at NAALAS was Gerard Bryant, and then, in late 2004, Glen Dooley (returning from KRALAS via a stint with the NT DPP). Aboriginal lawyer Sharon Payne was the NAALAS CEO.

Jared Sharp remembers NAALAS as being 'under the blowtorch' in this era, with court lists growing exponentially and lawyers struggling to keep on top of the caseloads. Some of the leading lawyers of those days included Greg Smith, Brian Cassells, Steve Barlow, David Evenden, Scott Johns, Jared Sharp, Pete Bellach and Giles O'Brien-Hartcher. CSOs included Kenny Hewitt, Steve Miller, big Kieran ('Chilpy') Boylan and the much-loved Aunty Kate Hutcheson.

If Aboriginal legal aid lawyers are known for their courage and determination, there is perhaps no better example from these years than Peter O'Brien who worked both at NAALAS and then as the senior lawyer at KRALAS. His fearless representation of a juvenile client saw him taken from the bar table into the cells at the Darwin Court of Summary Jurisdiction, purportedly for having committed contempt of court. In true fighting style, Peter took the matter to the Supreme Court, getting a declaration that the magistrate had acted without power. Peter then sued the NT Government and Magistrate Dick Wallace. The matter was settled in his

Chris McGorrey & Steve Barlow

Steve Miller & Kenny Hewitt

favour and he used the award to start his own legal practice in Sydney.

Another formidable figure who made a significant contribution to Aboriginal legal services over many years was David Ross QC, a Melbourne Barrister who wrote the pre-eminent textbook on criminal law (Ross on Crime). 'Rossy' devoted a large part of his working life to doing trials for the ALS and mentoring up-and-coming lawyers. He was an eccentric and colourful character, a jazz aficionado who once guested with a local Darwin salsa band playing the sousaphone, a criminal defence advocate without equal and a man who was extraordinarily generous with giving his time and passing on his knowledge and wisdom. David was a regular feature at and a significant asset to NAALAS, KRAALAS and NAAJA from the late 80's until his passing in 2009. Glen Dooley, Stewart O'Connell, David Woodroffe, Julian Noud and many others all attribute a significant part of their success to the mentoring of David.

In 2005 KRALAS was fortunate to establish a relationship with national legal firm Blake Dawson Waldron (now Ashurst) to provide a pro bono civil lawyer to the office on a six-monthly rotation. This significant commitment by Ashurst to providing access to justice for Aboriginal people continues to this day.

In 2005, the Australian Government advised Aboriginal Legal Aid Services that their funding would cease and tenders would be sought for the delivery of these services. The tender for the NT was split into two regions - Northern and Southern.

The Central Australian Aboriginal Legal Aid Service (CAALAS) tendered for the Southern Region.

NAALAS, KRALAS and MALS decided to join forces and tender for the Northern Region contract. To win the tender the three separate entities agreed to dissolve and form a new single Company. In February 2006 the North Australian Aboriginal Justice Agency (NAAJA) was born and won the contract.

Glen Dooley recalls:

> *"The merger of the three services was an emotional time. KRALAS had been a dynamic service for many years and Miwatj was finding its feet. The main concern was whether by becoming a bigger beast, the new service would be able to maintain the bonds with the community. After an initial rocky period, the will of all concerned to maintain NAAJA as an accessible community organisation prevailed".*

Glen Dooley

Peter O'Brien

Noel Hayes, Betty Campbell, Mary & Robert Le Rossignal

Stewart O'Connell, Julian Noud & Russell Zammit

Helen Wodak, Norman George, James Pilkington, Glen Dooley.
Pat Miller, Priscilla Collins, Mary Le Rossignal, Robert Le Rossignal, Mark O'Reilly

Helen Wodak, Julian Johnson, Daniel Kelly, Glen Dooley, Simone Ahmat, Annabel Pengilly

NAAJA Staff 2008

NAAJA Board
Back: Norman George, Natalie Ellis, Colleen Roses, Joel McLennan, Vernon Patullo, Banambi Wunungmurra
Front: Jerry Ashley, Vicki Darr, Ruby Stanley, Dorothy Fox, Hannah Roe

Eddie Cubillo

Priscilla Collins

NAAJA: A New Era in Aboriginal Legal Services

The first NAAJA Chairperson was Eddie Cubillo, followed by Vernon Patullo, Norman George (Crow) and Dorothy Fox.

In 2007, Priscilla Collins commenced as CEO, having previously been the CEO of the Central Australian Aboriginal Media Association. Glen Dooley, a stalwart of both KRALAS and NAALAS, was NAAJA's Principal Legal Officer. Annie Manfong was the Office Co-ordinator in Katherine and Laura Hopkins the Office Manager in Nhulunbuy.

Priscilla Collins remembers:

> *"When I had my interview for the job I told the panel that I had no legal experience but I had good governance and excellent management skills and I could bring in the money. They hired me on that.*
>
> *On my first day at work I thought, 'What the hell am I doing? I had never been inside a courthouse and I didn't want to disappoint NAAJA".*

Glen Dooley recalls:

> "I remember being a bit shocked by this Priscilla Collins. Perhaps too bogged down by years of hard slog I was scratching my head wondering how a media doyen from the desert was going to handle the larger than life types lurking in every corner of NAAJA. It became apparent very quickly that Priscilla was just the breath of fresh air NAAJA needed to break with the past and give us a vision for the future. Cilla trusted the NAAJA staff and got on to drawing the big picture. The status of NAAJA today is the result".

NAAJA grew rapidly in the next six years to become the largest legal practice in the Northern Territory. In addition to is core legal practice, Helen Wodak played a central role in establishing NAAJA's Advocacy (now Law and Justice Projects) section, providing a strategic focus to law reform and policy work and expanding into community legal education to provide

Richard Tillbrook, Shahleena Musk, Michelle Swift, Kate Wild, Jonathon Hunyor

NAAJA Board & Members, Back: Hannah Roe, Sharon Mununggurr, Michael Petterson, Maria Corpus, Ilona Wilson, Vernon Patullo Front: Colleen Rosas, Banambi Wunungmurra, Andrea Collins, Norman George

Aboriginal people with culturally relevant information about the laws that impact upon them.

Significant changes also followed the 2007 'Northern Territory National Emergency Response', known also as 'The Intervention', which was introduced in the final months of the Howard government. NAAJA was funded to employ extra lawyers and support staff to deal with the significant increase in work that resulted from The Intervention measures – those measures including extra police and police stations, and the controversial policy income 'quarantining' of social security payments received by Aboriginal people in the Northern Territory. In 2008 NAAJA began providing services under the Welfare Rights Outreach Project which included delivering legal education in communities to help people understand the new regime of income management.

In 2009 NAAJA's Prison Support and Indigenous Prisoner Throughcare programs began to assist clients seeking parole and to support them on release to prevent reoffending.

Priscilla considers NAAJA 'the best organisation I have ever worked for':

> *"We have the best Board and staff working and we are all dedicated to working with Aboriginal people and the justice system. I am so grateful to the staff for their hard work and all the long hours they put in to give us the excellent reputation we have".*

The list of lawyers working for NAAJA is long and many talented lawyers have worked in its Darwin, Katherine and Nhulunbuy offices. Special contributions to the early NAAJA years were made by Peggy Dwyer, Michelle Swift, Julian Johnson, Julian Noud, Chris McGorey, Stewart O'Connell, Will Crawford, Helen Wodak, Lindy Harland and Brian Cassells.

Other long-serving NAAJA staff include Finance Manager Noel Morris, Glenn Miller, and Julie Stark and receptionist Dedja Laughton.

Maria Corpus, who began as a receptionist at NAALAS in 1994 went on to become a legal secretary with the organisation. In 2010, after 16 years outstanding service to Aboriginal legal services, Maria moved to the Aboriginal Interpreter Service to become the Community Development Liaison Officer, where she maintains strong ties with the legal fraternity.

> *"My working involvement with NAALAS/ NAAJA for over a decade has been an experience beyond recognition. I have witnessed the dedication and commitment of lawyers and support staff working beyond the call of duty. I have observed the burnout of lawyers from the high volume of work and commitment to achieving outcomes. To have been part of such a diverse legal service that continues to fight tooth and nail for justice and legal rights for our Aboriginal and Torres Strait Islander clients, at the highest and most professional level throughout the NT and beyond, has been a privilege".*

In 2010, Jonathon Hunyor took over as Principal Legal Officer from Glen Dooley. In December that year NAAJA was awarded a prestigious Law Award by the Australian Human Rights Commission for its history of work in promoting and protecting the human rights of Aboriginal people in the Top End.

NAAJA Board: Banambi Wunungmurra, Hannah Roe, Norman George, Aunty Kate Hutcheson, Noel McDonald, Yikaki Maymuru, David Hughes, Jerry Ashley, Vernon Patullo

Kenny Sutton & Maria Corpus

Peggy Dwyer & Helen Wodak

Jonathon Hunyor

Australian Human Rights Commission Awards 2010: Catherine Branson QC, Alex Ward, Norman George, Jonathon Hunyor

NAAJA Staff 2012

Official Opening of NAAJA's Smith Street Office, 2012: Attorney General Robert McClelland, Dorothy Fox, Norman George & One Mob Dancers

NAAJA Staff 2013

Farewell to Gardiner Street

By 2010, the Darwin office had long since outgrown its bunker in Gardiner Street where many of the offices were shared by 3-4 people, windows leaked and so did the air conditioning (when it worked). With the support of a grant from the Commonwealth Attorney-General's Department and the Aboriginal Benefits Account, NAAJA purchased its own building at 61 Smith Street.

But just prior to the move in early 2011, the Gardiner Street building was to provide Chief Justice Trevor Riley with the unique experience of being incarcerated at the hands of NAAJA. The Chief Justice recalls:

> *"I was invited to address a workshop of legal practitioners at the offices in 1 Gardiner Street on a Saturday morning. When I arrived I was taken through to a room on the second floor at the back of the building. When my address was complete Jonathon offered to escort me out but, as the workshop was continuing, I said I could find my own way. I passed through the rabbit warren of offices until I found a door to the outside on the opposite side of the building. I opened the door, stepped outside and walked down the exterior stairs to the ground floor.*
>
> *There I found a grille security arrangement surrounding the foot of the stairs. The grille door could not be opened because a bicycle had been parked next to it and had fallen over occupying the space between the door and the opposite wall and thereby jamming the door shut. I reached through the grille but could not move the bicycle. I could not get out. I then struggled for a while and then went back upstairs only to find that door had closed and self locked. I could not get inside. I was stuck. I banged loudly on the door and called out but no one could hear. I thought I was there for the duration. I returned downstairs and through sheer desperation managed to move the bike enough to enable me to squeeze out and make my escape. I had been there about an hour".*

Chief Justice The Hon. Trevor Riley

Despite his detention, the Chief Justice reflects:

> *"My involvement with NAAJA and its predecessor NAALAS goes back many years. In my capacity of Chief Justice I have had occasion to express publicly the thanks and appreciation of the Judges of the Supreme Court for the role NAAJA plays in the administration of justice in the Northern Territory. Without NAAJA, and CAALAS in Central Australia, the system would struggle to cope".*

The move to Smith Street in March 2011 was a great boost to capacity and pride of the organisation. Jonathon Hunyor says:

> *"I recall Noel Morris telling me with a glint in his eye that he was going to get the whole front of the new building painted with the NAAJA logo. I thought this was a bad idea, imagining the NT News or the Australian running something about how we'd spent money on a fancy paint job. But Noel had a vision, and when the paint had dried I saw it was a good one.*
>
> *This is NAAJA: a big, strong and proud Aboriginal organisation. The biggest law firm in town, on the main street. A landmark in its own right. On Larrakia land. It feels good to stride in through the front door each morning under the logo. You know you are a part of something that matters".*

Rhonda Stott, David Woodroffe, Maria Corpus, Kenny Sutton, Aunty Kate Hutcheson

Back: Glen Dooley. Front: Jessica Bell, Jayde Kelly, Martina Whistler, Natasha O'Connell, Kerrie O'Connell, Maria Corpus.

Back: Eddie Cubillo, David Woodroffe, Nigel Brown, Nick Espie
Front: Shahleena Musk, Fiona Hussin, Hannah Roe

NAAJA Civil Team 2013

Aboriginal Legal Services at 40

NAAJA is today a modern and professional legal service with almost 100 staff and over 40 lawyers in its three offices in Darwin, Katherine and Nhulunbuy. It remains at the forefront of providing a culturally competent and relevant service for Aboriginal people.

NAAJA remains a proud and strong Aboriginal organisation. Aboriginal staff remain critical to its identity and integrity. Aboriginal lawyers from the most recent era include David Woodroffe, Shahleena Musk, Josephine Cashman and Daniel Briggs: all of whom have played senior management roles. Leading client service officers include Harold Dewis, Natasha Chong and Kenny Sutton and amongst the PAs are Jayde Kellie, Tahnee Clarke, Nardine Ferguson and Martina Whistler.

NAAJA's work in the area of criminal law remains fundamental. Protecting the right to liberty and to a fair trial is still at the forefront of this work. NAAJA has consolidated its reputation for highly effective advocacy from remote 'bush' circuit courts to the Supreme Court. NAAJA has enjoyed particular success in appellate matters, including before the Court of Criminal Appeal. Clients who are unfit to be tried or have a mental impairment that means they lack criminal responsibility have also received particular attention.

Notable contributions to NAAJA's criminal practice have been made by Shahleena Musk, Beth Wild, Josh Brock, Peter Bellach, Amie Hancock, Iva Ninkovic and Giles O'Brien-Hartcher in Darwin under Darwin

NAAJA Throughcare staff - Matthew McCormack, Sam Taylor-Hunt, Ellouise Davis, Terry Byrnes

Criminal Manager David Woodroffe; and Will Crawford and John Moore as mangers of the Katherine criminal team.

NAAJA's Civil Law section has seen particular growth and success under Pip Martin, manager since late 2010. Civil law accounts for about 40% of the work of the legal practice in areas such as family law and child protection; welfare, tenancy and housing rights; police and government accountability; adult guardianship; mental health; and coronial inquests.

The Majindi case is a highlight of NAAJA's civil work in recent years, the Supreme Court making a record award of over $100,000 damages for a client who was unlawfully arrested and assaulted by police. NAAJA has also been successful in a number of important test cases in the Supreme Court involving child protection and tenancy laws. Leading lawyers have included Jared Clow, Sofie Georgalis and James Stoller, with Annabel Pengilley and Lauren Walker making a significant contribution in the area of welfare rights and remote housing.

The civil practice has also been particularly strong and effective in the Katherine office, with lawyers including Siobhan Mackay, Matt Fawkner and Harley Dannatt and CSOs Kiarna Murray and Malama Talitimu.

NAAJA's Law and Justice Projects section has flourished under Jared Sharp, with its Indigenous Prisoner Throughcare and Community Legal Education projects breaking new ground. The work of Ben Grimes in promoting a community development approach to legal education has been particularly significant.

Ben Grimes & Students in Lajamanu

Back: Alex Clunies-Ross, Martina Whistler, Pip Martin, Sofie Georgalis, Jared Clow, Clare Sauro.
Front: Matthew Strong, Anna Dawson, Shelley Alvarez, Nick Petrie

In 2012 NAAJA received a National Crime Prevention Award for the success of the Throughcare program, which works intensively with prisoners pre- and post-release to significantly reduce high rates of reoffending. The award was welcome recognition of the work of the Throughcare team, including manager Samantha Taylor-Hunt, Kieran Boylan, and Lavina Murray. NAAJA's work in this area has also received recognition from the Parole Board of the Northern Territory, for the role it plays in supporting prisoners in achieving parole and successfully re-integrating into society.

NAAJA has also received funding for an Indigenous Youth Justice Worker, Terry Byrnes, to work with young people involved in the justice system to identify the causes of their offending and seek their diversion from court and prison.

Many of the issues NAAJA began pursuing in its advocacy forty years ago are still being fought today: the over-incarceration of Aboriginal people and failed 'tough on crime' policies like mandatory sentencing; child protection; recognition of Aboriginal customary law in the mainstream legal system, deaths in custody and the rights of Aboriginal people with mental impairment. NAAJA has been a leader in speaking out on these issues and working with other 'stakeholders' to find solutions.

David Woodroffe asked guests at NAAJA's 40th birthday party in 2013 if they believed Aboriginal legal services in the Northern Territory were meeting

David Woodroffe

Lavina Murray, Matthew McCormack, Ellouise Davis, Terry Byrnes, Dara Reed

Glenys & Kieran Boylan

the 'founding dreams and aspirations of the men and women who created it'. His own answer to the question was this:

> *"The job of people working in the ALS… requires the dual ability to prove time after time to our clients that we are not part of the system and yet to maintain with the court the integrity and professionalism expected of legal counsel.*
>
> *In my view Aboriginal legal aid is about engaging in dialogue from an indigenous perspective. Listening to the concerns of Aboriginal people, to the issues in their lives – the underlying social inequality and their access to justice. It is also about taking the conversation about these issues to the bench, police and government. The fact that Aboriginal legal aid has carried on this dialogue for the past 4 decades and that many of its former members are now judges, magistrates and prosecutors and hold office in many government departments and agencies shows that the depth of that conversation about Aboriginal access to justice in the Northern Territory is mature and intelligent".*

Justice Jenny Blokland concluded the evening's formalities with these words:

> *"Throughout all of its 40 years the Aboriginal legal service in the Top End – whatever its acronym – has stood for justice. It's never perfect by any stretch, but it is something meaningful – and that you are all here tonight, you are to be congratulated for that. Long may you and NAAJA continue to succeed".*

Fiona Hussin & David Woodroffe

Jonathon Hunyor, Colin McDonald, Colleen Rosas, Aunty Kate Hutcheson & Maria Corpus

Harold Dewis & Lavina Murray

Glenn Miller, John Lawrence & Shahleena Musk

One Mob Dancers

Colin McDonald & Jenny Blokland

David Woodroffe with Chief Justice Trevor Riley

Michelle Swift & Jenny Blokland

Jonathon Hunyor

Colin McDonald & Glen Dooley

Rabindra Roy

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Northern Territory Bar Association

Criminal Lawyers Association of the Northern Territory (CLANT)

Criminal Lawyers Association of the Northern Territory (CLANT)

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