

# MONTHS IN REVIEW

## JULY / AUGUST

compiled by Errin Walker

### 07/07–14/07

- National Aboriginal and Islander Day Observance Committee ('NAIDOC') week is held throughout the country. NAIDOC week is held in July each year to recognise the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. This year's theme is *We Value Vision: Yirrkala Bark Petitions 1963*.

### 10/07

- The Australian Government marks the 50th anniversary of the Yirrkala Bark Petitions. Sent by the Yolgnu people of Yirrkala to the Federal House of Representatives in 1963, the petitions outlined grievances in relation to the excision of land from an Aboriginal Reserve in Arnhem Land. Earlier that year, without consulting the Yolgnu people, the Federal Government removed land from the Reserve to enable the mining of bauxite. A Parliamentary Committee of Inquiry acknowledged Yolgnu land use and sacred sites and recommended compensation, the protection of sacred sites and ongoing monitoring of the situation at Yirrkala. The petitions gave awareness to Indigenous land rights claims.

### 12/07

- The winners of the 2013 NAIDOC Awards are announced. Of particular note, Galarrwuy Yunupingu receives the Lifetime Achievement Award in recognition of his advocacy of Indigenous rights, and Darryl Kickett is named Person of the Year for his dedication to community development, land rights, education, policy and in particular his outstanding contribution in Aboriginal health.

### 13/07

- The June 2013 Criminal Justice Statistical Profile tabled in the ACT Legislative Assembly today revealed a 46 per cent drop in the number of Indigenous youth held in juvenile detention in 2012-13 compared to 2011-12.

### 23/07

- The Australian Government announces the new National Aboriginal and Torres Strait Islander Health Plan. The policy framework aims to improve Aboriginal and Torres Strait Islander health over the next 10 years, building on the 2008 Closing the Gap Framework.

### 29/07

- Dr Tim Soutphommasane is appointed as Australia's new federal Race Discrimination Commissioner.

### 02/08

- OM (Manganese) Limited ('OMM') is found guilty in the Northern Territory Magistrates Court of desecration of a sacred site under section 35 the *Northern Territory Aboriginal Sacred Sites Act* (the 'Act'). The Aboriginal Areas Protection Authority prosecuted the company for its damage to an Aboriginal rock site known as Two Women Sitting Down at Bootu Creek in the Northern Territory. OMM was fined \$150,000 by the Court. This is the first time desecration has been contested and won under the *Act* and is the largest fine to be issued under the *Act*.

### 03/08

- The Attorney-General, Mark Dreyfus, releases the final terms of reference for a new Australian Law Reform Commission ('ALRC') inquiry: *Native Title Law – Twenty Years and Beyond*. The two specific areas of native title that are under inquiry are: connection requirements; and authorisation and joinder provisions of the *Native Title Act 1993* (Cth). The ALRC is to report by March 2015.
- The Australian Government releases the report of the Working Group on Taxation of Native Title and Traditional Owner Benefits and Governance ('the Working Group') and announces its in principle support of all the Working Group's recommendations.

### 04/08

- Today marks the 25th anniversary of National Aboriginal and Islander Children's Day. This year's theme, *Right Here, Right Now. Our Rights Matter*, focuses on raising awareness of Aboriginal and Torres Strait Islander children's rights.
- *R v Bugmy* commences in the High Court of Australia. William David Bugmy is appealing a seven and a half year sentence for assaulting a NSW prison guard. The Case reopens the Fernando Principles established in *R v Fernando* (1992) which concern the mitigating effect of certain social circumstances in respect of the sentencing of Aboriginal offenders.
- The Victorian Government announces an Ongoing Protection Declaration for the Moyjil Aboriginal Place at Point Richie, granting it the highest level of Aboriginal heritage protection in the State following archaeological findings of early Aboriginal life. The Declaration makes it an offence to damage the site with fines ranging from \$1,400 to \$1.4 million.

### 06/08

- The High Court of Australia reserves its decision in the case of *Munda v WA*. Ernest Munda is appealing his seven years and nine months sentence for the unlawful killing of his de facto wife. Similarly to *R v Bugmy*, the appellant argued the Western Australian Supreme Court and Western Australian Court of Appeal applied a limiting approach to the Fernando Principles. Munda also seeks to challenge the weight given to tribal punishment in his case.

### 09/08

- Today is the United Nation's International Day of the World's Indigenous People ('IDWIP'). IDWIP is held annually on 9 August to celebrate the achievements, diversity and culture of Indigenous people across the globe. This year's theme is *Indigenous peoples building alliances: Honouring treaties, agreements and other constructive arrangements*.

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