

RAPPORT

FEBRUARY 2010

Welcome to the second edition of **RAPPORT**, Arnold Bloch Leibler's Reconciliation Action Plan newsletter. This edition has been released to coincide with the second anniversary of the Prime Minister's apology to the Stolen Generation at the opening of the Australian Parliament on 13 February 2008.

This newsletter focuses on the firm's recent involvement in a trial 'externship programme' with the Aurora Project, as well as cultural awareness activities and initiatives undertaken by the firm. It also includes key results of the firm's latest public interest law report with a focus on the firm's long and strong relationships with various Indigenous communities throughout Australia.

Externship with the Yamatji Marlpa Aboriginal Corporation

The Aurora Project is a collective organisation that supports Indigenous communities and organisations to facilitate prosperity through capacity building. As one means of addressing the issue of under-resourcing in many native title representative bodies, the Aurora Project recently created an externship programme for experienced lawyers in private practice to work with native title representative bodies around Australia. The idea of a 'native title' externship is to enable lawyers in private practice to work from their usual offices of employment and commit, on a pro-bono basis, an agreed, significant proportion of their working hours to be available 'at call' for the native title client concerned.

In August 2009, Arnold Bloch Leibler legal business consultant, Laura Passey, was the first person in Australia to carry out an externship under the new programme. Laura's externship was with Yamatji Marlpa Aboriginal Corporation (YMAC), which is based in Western Australia.

A long-standing client of Arnold Bloch Leibler, YMAC is the native title representative body for the traditional owners of the Pilbara, Murchison and Gascoyne regions of Western Australia. Its mission is to pursue recognition and acceptance of Yamatji and Marlpa culture in country. The Council provides a range of professional services to its clients, the traditional owners of country in these regions. These services include: providing legal representation and research to assist with native title claims; negotiating land use agreements; and assisting with heritage protection services and community, economic and environmental projects.

One aspect of the legal services required is asserting and protecting native title in areas where mining companies wish to mine, as well as attending to associated legal transactions.

Laura's externship commenced with a three-day programme at the University of Adelaide, focusing on the issues involved with the negotiation and implementation of Indigenous land use agreements.

Laura also went 'client side', spending time with colleagues from YMAC's Perth and Port Hedland offices, to gain a greater insight into the nature of their representative work. Each native title claim group represented has an elected representative body called a 'working group', comprising Indigenous people with recognised status to have authority in matters affecting country. They commonly consist of young people and elders, both men and women.

Having recently come to Australia from England, this externship provided Laura with an excellent opportunity to learn about Indigenous culture and the complexities of native title legal issues. It also added an additional depth to her experience of practising commercial law.

Arnold Bloch Leibler is proud to have been the first firm in Australia to participate in this innovative programme.

Indigenous art 101

Recently, Jason Smith (*pictured right*), Director and CEO of Heide Museum of Modern Art, held an introductory session for Arnold Bloch Leibler staff members about the history and culture of Indigenous art in Australia. As Indigenous art is one of the most accessible means for many Australians of connecting with and learning about Indigenous culture, and given the fact that our staff have the privilege of enjoying numerous Indigenous artworks on display in our offices, we felt it was important for our staff to build their understanding of this important aspect of Indigenous culture.



We are honoured to have Heide as a public interest client and were delighted that Jason was able to share his knowledge and understanding of Indigenous art with us.

Prior to joining Heide, Jason was the Director of Monash Gallery of Art, and between 1997 and 2007 he was Curator of Contemporary Art at the National Gallery of Victoria, which provided him with considerable exposure to Indigenous art and the opportunity to work alongside some of the foremost experts in this field.

While Jason was given the daunting task of providing Arnold Bloch Leibler's staff with an overview of the rich, complex and varied topic of Indigenous art in a one-hour lunch time presentation, he provided an eloquent, lively and valuable survey of Indigenous art, covering the traditional and contemporary, as well as reminding us of the key role art plays as a bridge to reconciliation. We thank Jason for his invaluable contribution.



Public interest law results for 2008/09

A recent audit of the firm's pro bono public interest law commitment for 2008/09 revealed that, averaged across the firm, each of Arnold Bloch Leibler's fee earners carried out over 70 hours of public interest law pro-bono work.

In 2007, the National Pro Bono Resource Centre introduced a voluntary minimum pro bono target for each Australian law firm to commit on average 35 hours per lawyer per year. As one of the founding signatories to the voluntary target, Arnold Bloch Leibler is proud to achieve double this aspirational target.

Of the 6,945 hours spent on public interest law work by Arnold Bloch Leibler's lawyers, over 22 per cent of this time was dedicated to Indigenous causes. The firm provided a range of legal services to over 40 Indigenous clients, including in the areas of general commercial law, native title, human rights, property and taxation law.

Arnold Bloch Leibler is deeply committed to Indigenous capacity building, including 'caring for country' endeavours, and has partnered with a number of Indigenous and environmental organisations and Indigenous communities to assist them in their efforts.

Arnold Bloch Leibler believes that through the collective implementation of these plans—and by addressing the key issues of Indigenous housing, health, education, training, employment, land and water management, law and justice—all Australians, Indigenous and non-Indigenous, can benefit.

Through its associated Indigenous and environmental support work, the firm has been able to assist a wide range of Indigenous clients, including by acting in the following matters:

- **The Gumatj & Rirratjingu Clans:** advice on negotiations with Rio Tinto Alcan regarding mining, refinery and associated leases on traditional owners' land located in Gove, Northern Territory; and
- **Yamatji:** in relation to miscellaneous matters (from corporate governance to mining negotiations) associated with its work as the representative body for the Pilbara region of Western Australia.

Other key clients working to empower Indigenous peoples include Reconciliation Australia, First Nations Foundation, Jirrawun Arts & Jirrawun Health, Murray Lower Darling Rivers Indigenous Nations, Reconciliation Australia, Rumbalara Football & Netball Club, Wantok Musik Foundation, Worowa Aboriginal College and Yorta Yorta Nation Aboriginal Corporation.

Celebrating reconciliation in 2010

Achieving reconciliation involves: raising awareness and knowledge of Indigenous history and culture; changing attitudes that are often based on myths and misunderstandings; and encouraging action to better relationship between Indigenous and non-Indigenous Australians.

The following events invite people across the community to become involved in reconciliation and broaden their understanding of Indigenous culture.

Dates to remember for 2010

Apology Anniversary: 13 February 2010

The second anniversary of the national apology to the Stolen Generations by Prime Minister Kevin Rudd.

Sorry Day: 26 May 2010

Leading into Reconciliation Week, Sorry Day acknowledges the impact of the policies of forcible removal on Australia's Indigenous populations.

National Reconciliation Week: 27 May - 3 June 2010

National Reconciliation Week promotes reconciliation, learning about Australia's Indigenous culture and history, and exploring new and better ways of meeting challenges in our communities.

NAIDOC Week: 4 to 11 July 2010

NAIDOC celebrations are held around Australia to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander people.

For further information regarding these events, please go to www.reconciliation.org.au.

News from Reconciliation Australia

Getting involved Australia wide

2009 was another successful year for Reconciliation Australia, with the total number of active RAPs reaching 170. In 2009, many new large corporate organisations joined the RAP programme, including Westfarmers, Essendon Football Club, Transfield Services and Allens Arthur Robinson. Many new statements of commitment have also been made for the implementation of future RAPs, including from Clayton Utz and Unisys.

Reconciliation Australia has attracted organisations from all facets of the community, including:

- community organisations;
- corporate organisations;
- peak organisations;
- schools and universities; and
- federal, state and local governments.