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# Seeing that justice is done

## LEGAL SERVICE FOR ABORIGINES SPREADS ITS WINGS

By a staff reporter

IN 1970 Paul Coe, a 20-year-old Aboriginal student, helped to organise a vigilante group of Aborigines and students to keep watch over the frequent arrests of Aborigines outside two hotels in Redfern.

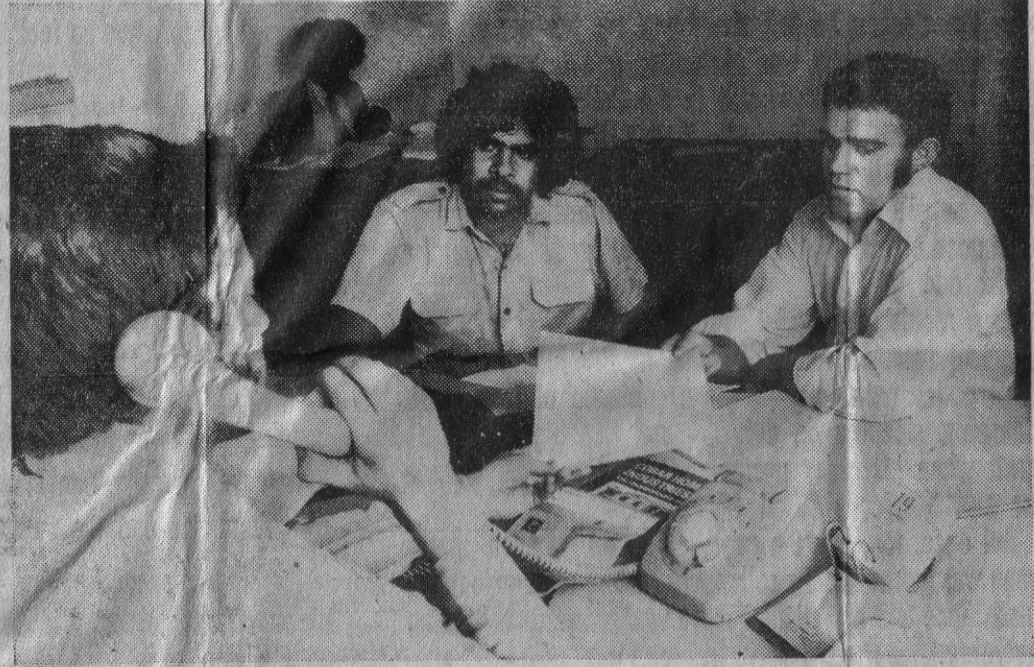
A little over three years later, Paul is president of the NSW Aboriginal Legal Service — a body which, combined with younger offshoots in the other States, will spend more than \$1 million this financial year defending Aborigines' rights.

Earlier this month the service passed a new landmark in its brief but crowded history of expansion. An office was opened at Brewarrina, bringing the total full-time staff to 23. Sixteen, mostly field officers and secretaries, are Aborigines, but the seven solicitors are white.

### Field officers

Headquarters is a bleak converted shop in the centre of Australia's biggest Aboriginal concentration — Redfern. Other offices are deployed at Moree, Nowra, Cowra and Brewarrina. A new office is planned on the North Coast. Mobile field officers travel from these country centres to more remote areas.

When an Aboriginal needs legal advice he usually hears of a field officer in the only way he will trust — the recommen-



A solicitor of the Aboriginal Legal Service discusses a problem with Gary Williams of Alexandria (left) and Jim Ralph of Cobar at the Redfern office.

dation of a mutual friend. If legal action is needed the officer refers him to a solicitor in the service or to one of a consultative panel of lawyers.

The gulf of mistrust between two civilisations is bridged, and the Aboriginal goes to the white man's court with a white man's advice.

Without counselling, Aborigines almost invariably suffer from uncertainty about their rights. Field officers report cases where, on the advice of the police, they have pleaded guilty or signed a statement they never made. Struggles with landlords and employers

are frequently abandoned in the face of incomprehensible legal technicalities.

How did a group of radical academics and angry young Aborigines turn itself into a large, mainly Government-financed legal organisation which has the confidence of the Aboriginal community?

The process began when one of the students, seeking legal advice, telephoned Professor J. H. Wootten, then Dean of the new Faculty of Law at the University of NSW and now a judge of the Equity Court. Professor Wootten threw his weight behind the cause, and

with the aid of the Bar Council and the Law Society, enlisted the voluntary support of many lawyers.

The Aborigines, on their side, prompted a group of community leaders to join the lawyers and academics, forming the first Council of the Aboriginal Legal Service. The council rostered its volunteers to provide a 24-hour service at Redfern.

In late 1970 Professor Wootten wrote a letter to "The Sydney Morning Herald" attacking the insanitary condition of an Aboriginal reserve near Moree. This attracted the attention of

Mr W. C. Wentworth, then Minister in charge of Aboriginal Affairs in the Gorton Government, who promised a grant of \$24,250 for the legal service.

The grant enabled the establishment of a permanent referral office for the panel of volunteer lawyers. When Labor came to power the grant was quintupled, allowing the referral system to be expanded, full time solicitors to be employed and lawyers on the panel to be paid for their work.

Allan Cameron, a solicitor and executive officer of the service, believes it is because the service has retained its nature as a crusading coalition of Aborigines, lawyers and academics that it can work effectively with the Aboriginal community.

Defending Aboriginal rights is no romantic matter. Much of the time is taken up with pleading for and arranging bail, and defending cases of vagrancy, offensive behaviour, unseemly words and drunken driving.

There is some satisfaction in the work. A woman committed to an institution 20 times for drinking offences recently had a court order varied so she could live with a black foster family. So far, the black family has succeeded where the institution failed.

A young man charged with carnal knowledge was refused bail in a country town. An appeal to the Supreme Court reversed the decision, saving him from a probable three or four months in jail for an unproven offence.

Paul Coe, who never dreamt his vigilante group

would blossom into its present form, now hopes it will eventually be able to launch an education program on civil rights for Aborigines, and conduct research into associated problems. "At present we are fully occupied with representation on everyday matters," he says.

His greatest fear, which he shares with an executive officer, Gary Williams, is that the Federal Government could take over the administration of legal aid to Aborigines.

This danger is believed to spring from an empire-building match between the Department of Aboriginal Affairs and the Attorney-General's Department. The former has followed a policy of making grants to the legal aid services, but the latter wants to incorporate Aboriginal legal aid in an overall service to be called the Australian Legal Aid Office.

### Confusion feared

Paul Coe and Gary Williams believe Aborigines would be made suspicious and confused by a public-service-style office. Better to channel the legal aid through a body which is run by the Aborigines themselves, they say.

Plans for the Australian Legal Aid Office dominated discussion at the national Australian Legal Service convention, held in Canberra on the weekend beginning December 3. Although it was said that the new office would operate in competition with the existing structure, both Senator Cavanagh, the Minister for Aboriginal Affairs, and the Attorney-General, Senator Murphy, gave assurances that the legal service grant was secure for the present.

But the Aborigines expect they will have to fight, sooner or later, to keep control of their legal service.

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