Australian Bar Review (ABR)

Volume 50 Part 3

(foreword, editorial note, speech and articles included in this part are linked to the LexisNexis platform)

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mean that burial and funeral arrangements are of particular significance, with the deaths of deceased persons presenting a heightened site of conflict where the deceased died intestate and is of Aboriginal heritage. The purpose of this article is to provide a guide on Aboriginal burial dispute hearings in New South Wales, put together from recent jurisprudence emerging from the Supreme Court. The authors' intention in writing this article is to urge fellow counsel to encourage the use of alternative dispute resolution processes in matters of this kind, endeavouring to keep such matters out of the courts and thereby ameliorating the risk of parties' grief and suffering turning into family conflict and resentment.

Legal frameworks have long authorised state intervention in the lives of First Nations children and families, causing significant harm. 'Bringing Them Home' and other reviews since have emphasised the need for significant structural change, particularly focused on respecting the self-determination of First Nations, and re-orienting systems to address the drivers of contact with child protection systems, prevention and family support. Government reforms have been more narrowly focused to address systems issues. The limitations of these reforms relative to the need for transformational change is discussed, including opportunities to reimagine child protection systems for First Nations children, families and communities.

The European doctrine of discovery was reasonably rejected as a legal basis for the acquisition of territory. Australia's highest domestic court has reasonably held that examining issues of state are outside the jurisdiction of a municipal court. Further, the Australian Government has not proposed an alternative basis for the acquisition of territory or successfully claimed sovereignty in a transparent, lawful and fair manner, and this maintains the status quo ante (the status quo of land custodianship before colonisation) which is uti possidetis. According to Judge Sebutinde, 'the Court has never suggested that uti possidetis may be a peremptory norm of international law' but it is clearly customary. This article considers this as the correct legal basis at law but also takes into account the significant facts on the ground built in over the last two centuries of colonisation. That is, as things stand, neither the British nor their successors have a theoretical legal basis for their territorial claims over the continent under international law. The current legal position effectively exhausts domestic legal remedies on this important question of law. Exhausting domestic remedies is an important hurdle in seeking to move the dispute for resolution into the international plane, particularly on matters affecting human rights.

It has been 30 years since the final report of the Royal Commission into Aboriginal Deaths in Custody was handed down. Key recommendations were made that sought to address the overrepresentation of Aboriginal and Torres Strait Islander people within the criminal justice system in Victoria. The establishment and implementation of Koori courts are a key initiative that has been driven by the