

## Indigenous Barristers' Strategy Working Party

### Background

The working party is a special committee set up to implement the Indigenous Lawyer's Strategy at the New South Wales Bar. The membership is comprised of barristers and representatives of the law schools of the University of New South Wales and the University of Technology, Sydney.

A special trust fund, The Indigenous Barristers' Trust – the MumShirl Fund, was established in 2002 to create a pool of funds to provide financial assistance to Indigenous barristers, especially in their first few years of practice and to Indigenous law students. The fund has deductible gift recipient status as a public benevolent institution under the *Income Tax Assessment Act 1936 (Cth)*.

### Fundraising

As part of the fundraising strategy, Aboriginal actor and producer Leah Purcell produced a short promotional DVD on opportunities in the legal profession for Indigenous law students and law graduates with a special emphasis on opportunities at the NSW Bar.

On Wednesday, 13 April 2005 a cocktail party to raise funds for Indigenous Barristers' Trust was held at Sydney's Sky Phoenix restaurant. More than 150 guests attended, including the patron of the trust, the Hon Sir Gerard Brennan AC KBE, Attorney General Bob Debus, and the Hon Dr Andrew Refshauge MP, Deputy Premier and Minister for Aboriginal Affairs. The highlight of the evening was a heartfelt and insightful speech by Noel Pearson in which he expressed the view that the original decision in Mabo had been misunderstood by the community, and that the opportunity for attitudinal change towards native title was lost. He also raised concerns that the *Native Title Act 1993 (Cth)* had been interpreted by courts in a way that diminished Indigenous land rights. Guests were also treated to the premiere of Leah Purcell's DVD about the trust.

**A link to that video is now on the Bar Association's home page at [www.nswbar.asn.au](http://www.nswbar.asn.au)**

### Opportunities for Indigenous law students

The students participating in the University of NSW Indigenous Pre-Law Program attended the Bar Association for a day during their course in December 2004 and were taken to chambers and introduced to the work of a barrister. They visited courts and spoke with judges who shared their experiences as both barristers and judges. This visit is an annual event and is important in exposing new Indigenous law students to the career opportunities available at the Bar.

A new Indigenous barrister, Norman Laing, commenced his readership in 2004. He was provided with opportunities during his reading period by the NSW Public Defenders Office and particularly through the assistance of Andrew Haesler SC.

Law students were assisted in finding part-time employment with ten barristers during the year. Further employment opportunities are being sought from interested barristers. One recent law graduate and several other Indigenous law students worked at the Crown Prosecutors Office.

### Replication in other states

The working party has been working closely with the Victorian and Queensland Bars and their members are actively pursuing similar strategies to those started by the NSW Bar.



Aboriginal lawyer Noel Pearson addresses The Indigenous Barristers' Trust fundraiser. Photo: Bob Finlayson / News Image Library