### 1. POINTS TO REVIEW AFTER YOUR VISIT TO THE FRANCIS BURT LAW EDUCATION PROGRAMME

Review the points below and your previous answers with a partner or in a small group and then discuss them with your class.

**Instructions:**

Read the sentences below and mark them True or False.

| a. Generally speaking there are two types of law in WA; civil and criminal law. | True | False |
| b. If you are accused of a crime in WA you must prove to the court that you are not guilty. | True | False |
| c. The Federal Court is the highest court in Australia. | True | False |
| d. Jury duty is a civic responsibility of everyone who has their name on the electoral roll in WA except in special situations and except for people in special types of jobs. | True | False |
| e. Everyone must swear an oath on the Bible when giving evidence in WA courts. | True | False |
| f. Everyone is treated equally by the courts and the law in WA. | True | False |
| g. The government can remove a judge from his/her position at any time. | True | False |
| h. An accused person must give evidence if s/he pleads not guilty and the matter goes to trial. | True | False |
| i. Each Australian State and Territory has its own laws and courts. | True | False |
| j. Under the rule of law every Australian has legal rights and legal responsibilities. | True | False |
2. LEGAL VOCABULARY

Match the vocabulary below to the descriptions in the table.

<table>
<thead>
<tr>
<th>VOCABULARY</th>
<th>DEFINITION</th>
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<tbody>
<tr>
<td>Criminal Law</td>
<td>Law which focuses on formal disagreements between two or more people in our community.</td>
</tr>
<tr>
<td>Common Law</td>
<td>Law which is created by judge’s decisions. Those decisions set precedents which all the lower courts must follow. This type of law is created when there is a gap in the existing legislation.</td>
</tr>
<tr>
<td>The Australian Constitution</td>
<td>The document which identifies the fundamental principles of how Australia is governed. It includes details on what laws and courts the Federal Government is responsible for and what laws and courts the State Governments are responsible for.</td>
</tr>
<tr>
<td>Statute Law</td>
<td>Law which aims to stop anti-social behaviour and danger to our community.</td>
</tr>
<tr>
<td>Civil Law</td>
<td>Legislation that has been passed through Parliament. The terms ‘statute’ and ‘legislation’ may be used interchangeably.</td>
</tr>
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3. FREEDOMS THAT ENABLE ACTIVE PARTICIPATION IN AUSTRALIA’S DEMOCRACY WITHIN THE BOUNDS OF THE LAW - FREEDOM OF ASSOCIATION, FREEDOM OF ASSEMBLY AND FREEDOM OF MOVEMENT

Under the Australian Constitution only limited protection is provided for freedom of association and freedom of movement. Limited protection is also provided through the operation of the common law.

In March 2016 the Australian Law Reform Commission tabled a report on ‘Traditional Rights and Freedoms – Encroachments by Commonwealth Laws’. See the following extracts from that report and then answer the questions below:

**Freedom of association and assembly**

1.31 Freedom of association concerns the right of all persons to group together voluntarily for a common goal or to form and join an association, such as a political party, a professional or sporting club, a non-governmental organisation or a trade union. Freedom of association is different from, but also closely related to, freedom of assembly. Australians are generally free to associate with whomever they like and to assemble to participate in activities including, for example, a protest or demonstration.

1.32 A wide range of Commonwealth laws may be seen as interfering with freedom of association or freedom of assembly. These include counter-terrorism and other criminal laws and laws concerning public assembly, workplace relations, migration, and anti-discrimination. Many of these laws provide limitations on freedom of association or assembly that have long been recognised by the common law itself—for example, in relation to consorting with criminals, public assembly and other aspects of preserving public order. Areas of most concern include aspects of counter-terrorism and the character test in migration law.

1.33 Workplace relations laws in Australia have been subject to criticism on the basis of lack of compliance with International Labour Organization Conventions. However, while some of these provisions may offend ILO norms, they do not necessarily infringe common law freedom of association.
a. In your own words describe what freedom of association and freedom of assembly mean:

b. In your own words describe what freedom of movement means:

<table>
<thead>
<tr>
<th>Freedom of movement</th>
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</thead>
<tbody>
<tr>
<td>1.34 Freedom of movement at common law primarily concerns the freedom of citizens both to move freely within their own country and to leave and return to their own country. Freedom of movement has commonly - both in theory and practice - been subject to exceptions and limitations. For example, the freedom does not extend to people trying to evade punishment for a crime and, in practice, a person’s freedom to leave one country is limited by the willingness of other countries to allow that person to enter.</td>
</tr>
<tr>
<td>1.35 A range of Commonwealth laws may be seen as interfering with freedom of movement. Some of these provisions relate to limitations that have long been recognised by the common law itself, for example, in relation to official powers of arrest or detention, customs and passport controls, and quarantine.</td>
</tr>
<tr>
<td>1.36 While many laws interfering with freedom of movement have strong and obvious justifications, it may be desirable to review some laws to ensure that they do not unjustifiably interfere with the right. The areas of concern include various counter-terrorism measures, including aspects of the control and preventative detention order provisions and declared area offences in the Criminal Code (Cth). Provisions of the Bankruptcy Act 1966 (Cth), which provide that a bankrupt person must automatically give their passport to the trustee, also warrant review.</td>
</tr>
</tbody>
</table>

c. Describe what freedoms referred to above you are able to use in your everyday life?
d. Why is it important that you are able to continue to have those freedoms in your everyday life?

e. Sometimes freedom of association and freedom of assembly go together. For example, people assemble without being in association with others at the cinema or a sports stadium. Can you think of examples where limits on freedom of assembly are necessary for other people to enjoy freedom of association?

4. TRADITIONAL ABORIGINAL LORE

Noongar people have complex lore and customs pre-dating European contact. Our lore has existed alongside European laws and still does today. The terms ‘lore’ and ‘law’ are sometimes used interchangeably, but ‘law’ refers to written European law. Lore for Noongar people is unwritten and refers to kaartdijin (knowledge), beliefs, rules or customs. Noongar lore is linked to kinship and mutual obligation, sharing and reciprocity. Our lore and customs relate to marriage and trade, access, usage and custodianship of land. Traditionally, it has governed our use of fire, hunting and gathering, and our behaviour regarding family and community. Noongar lore works with nature to protect animals and our environment. Noongar people do not eat animals that have totemic significance with our names. This contributes to assuring biodiversity is maintained and food supplies are always in abundance.

Kaartdijin and lore belongs to Noongar people only and is different from other Aboriginal groups. All of these lores have been transmitted from the Elders, fathers and mothers to their sons and daughters through unknown generations, and are fixed in the minds of Noongar people as sacred and unalterable.

The Trial Of Weewar

In 1842 the Crown prosecuted Weewar, a Binjareb Nyungar warrior, for carrying out tribal payback by spearing Dyung of the Mooro Group. When Weewar heard that Dyung, a member of the tribe responsible for the death of his son, was moving through Binjareb Territory he was governed by one law - traditional Aboriginal law. Weewar’s trial became the test case in Western Australia which determined that British law took precedence over traditional law.

The trial of Weewar was held in the Old Court House and shows the significant conflicts between traditional Aboriginal lore and British law.

a. Watch the Weewar video on the Kaartdijin Noongar – Sharing Noongar Culture website and discuss the following in small groups.

(1) Do you agree or disagree with the precedent that British lore is supreme to traditional Aboriginal law? Why?

_____________________________________________________________________________________________________________________
_____________________________________________________________________________________________________________________
_____________________________________________________________________________________________________________________
_____________________________________________________________________________________________________________________
_____________________________________________________________________________________________________________________

(2) If you were the Judge in the matter, what would your judgment have been?
   a. British law takes precedence over traditional Aboriginal lore
   b. Aboriginal lore takes precedence over British law
   c. Traditional Aboriginal lore and British law would exist together with neither being superior to the other
   d. Other: ____________________________________________________________

(3) Clash of laws
   a. Does traditional Aboriginal lore still exist today? Yes / No
   b. Is there still a clash of laws in Western Australia today? Yes / No
(4) Traditional Aboriginal Culture and Customs

a. How important do you think it is for non-Aboriginal people to value and acknowledge traditional Aboriginal culture and customs? Why?
   Unimportant / Medium importance / Very important

b. How important do you think it is for Aboriginal people to value and acknowledge traditional Aboriginal culture and customs?
   Unimportant / Medium importance / Very important
c. How important do you think it is to value and acknowledge traditional Aboriginal culture and customs?
Unimportant / Medium importance / Very important

5. DIFFERENT PERSPECTIVES ABOUT AUSTRALIA’S NATIONAL IDENTITY

Australia Day
The City of Fremantle has cancelled its annual Australia Day fireworks from 2017 in order to do something more “culturally appropriate”.

Fremantle Mayor Brad Pettit told 720 ABC Perth the council voted Wednesday night 10 to one against the fireworks display in favour of hosting an alternative event, which may or may not be held on Australia Day.

“The [fireworks] are fun, and they are much loved, and it was a pretty tough decision ... but at the heart of it, it came down to some conversations quite a few of us had with local Aboriginal people in Fremantle.

“For them there was a real sense that Australia Day is not a day of celebration for everybody, in fact, for them it is a day of sadness and in many ways, a day that marks the start of much of their dispossession.”

Mr Pettit said he anticipated the public reaction to the vote would be mixed.

a. Read Appendix 1, the Alternatives to Australia Day on 26 January – Have you considered Wattle Day? article, and discuss the following in small groups.

1. Can you understand why Aboriginal Peoples find Australia Day on 26 January insensitive and insulting? Yes / No

2. What are the two strongest arguments against Australia Day on 26 January in your opinion? Explain with reasons.

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

3. What are the two weakest arguments against Australia Day on 26 January in your opinion? Explain with reasons.

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_________________________________________________________________________

4. Which of the suggested alternatives to Australia Day on 26 January would you support if you had to? Explain with reasons.

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

5. Are you in favour of an alternative to Australia Day on 26 January? Explain with reasons. Yes / No
On 26 January 2009, Mick Dodson was named Australian of the Year. He used the opportunity to urge national debate on changing the date of Australia Day, saying that the use of January 26 alienates Aboriginal and Torres Strait Islander people.

The 26 January is the anniversary of when Captain Phillip first raised and saluted the British flag at Sydney Cove in 1788. This marked the commencement of the invasion by the British, and killing and deprivation of the First Peoples. The population at that time was estimated at about 750,000 people, with hundreds of language groups, clans and sophisticated societies. Within a century, as a result of murder, disease and famine, the population was reduced to just 40,000.

Because of this, and all the injustices that have happened since, it has always been insensitive and insulting to Aboriginal and Torres Strait Islander peoples that this day is celebrated as ‘Australia Day’. It is the anniversary of colonisation, dispossession, suffering and loss. I agree with Mick Dodson that it is alienating to Aboriginal and Torres Strait Islander people to celebrate the ‘birth’ of this nation on 26 January.

Aboriginal and Torres Strait Islander people have been protesting on 26 January since the 1800s. Most notably, as the Day of Mourning in 1938, the day the Aboriginal Tent Embassy was erected in 1972, the day 40,000 marched in protest in 1988, when it was dubbed ‘Invasion Day’, and the day in 1992 that marked the commencement of the Survival Concerts, and the naming of the day to ‘Survival Day’. Since then, Survival Day concerts have spread across the country and are celebrated annually as the ‘Survival Movement’.

Despite this sustained resistance, Australia continues to celebrate its nationhood on this day and there is little political appetite for changing it. Even Kevin Rudd, who as Prime Minister apologised to the Stolen Generations and signed the Declaration on the Rights of Indigenous Peoples, was not open to the idea. When asked about Mick Dodson’s statement in 2009 he said: “Let me say a simple, respectful, but straightforward no”. Opposition Leader Malcolm Turnbull also would not enter into a conversation; “People have been arguing this for a long time. Mick Dodson is nowhere near the first that’s made that case. I think Australia Day, and I’m sure most Australians agree, is very appropriate today,” he said.

I disagree with Malcolm Turnbull’s comments that “most Australians agree” that the date is appropriate today. As well as being persistently disrespectful to Aboriginal and Torres Strait Islander peoples, in recent years, the celebrations have also become alienating to newly arrived Australians and various minority groups. There is an uncomfortable feeling to the day, connected to its white supremacy past, evidenced by clothing and stickers with the phrases such as “like it or leave”.

There is also an unpleasant association between the day and alcohol, with the earliest historical descriptions filled with drinking and merriment. In recent years a number of firework events have been marred by alcohol fuelled violence from mainly young Australians who go along in droves, with eskies full and the Australian flag proudly draped around them.

Another criticism of 26 January is that it celebrates the foundation of the Colony of New South Wales, thereby lacking national significance. The fact that it falls during the longest Australian school holidays has also been criticised, as it limits the ability of schools to engage children in the event.

Appendix 1

Alternatives to Australia Day on 26 January – Have you considered Wattle Day?

By Tammy Solonec
As Australia grows into a multicultural country, with recognition of the First Peoples, it will no longer be appropriate to celebrate on a day that commemorates British rule, fuelled by alcohol. We do need to think seriously about an alternative date.

There are many factors to consider in choosing a day of national celebration. This includes the time of the year, whether it clashes with or complements existing public holidays, the historical significance of the day and most importantly, whether or not it can be seen as a day that represents the spirit of the nation and the unification of the people within it.

The timing of public holidays is very important to Australians and requires special consideration. In regards to the current rotation of ‘national’ public holidays in Australia, we have three close together in summer (Christmas, Boxing and New Year’s Days), closely followed by Australia Day, then three more close together in autumn with Good Friday, Easter Monday and ANZAC Day. The last national public holiday, the Queen’s Birthday, is celebrated at the start of winter on the second Monday in June, except in Western Australia and Queensland.

However, there are also all the state and territory public holidays to consider. They are: WA Labour Day (5 March); ACT Canberra Day, SA Adelaide Cup, VIC Labour Day and TAS Eight Hours Day (12 March); NT May Day and QLD Labour Day (7 May); WA Foundation Day (4 June); QLD Queen’s Birthday (11 June); NSW Bank Holiday and NT Picnic Day (6 August), NSW and SA Labour Day and WA Queen’s Birthday (1 October), ACT Family and Community Day (8 October) and VIC Melbourne Cup Day (6 November).

When analysing these dates, it is evident that there are no public holidays in February, July or September, and no ‘national’ public holidays between July and November. It would therefore appear in terms of timing, that September is the most favourable month to consider.

Over the years, there have been a number of alternative dates for Australia Day suggested including 1 January (Federation), 25 April (ANZAC day), 9 May (Federal Parliament), 9 July (Constitution Day), 1 September (Wattle Day) and 3 December (Eureka Stockade).

There have also been calls for a national public holiday centred around Aboriginal and Torres Strait Islander peoples including National Sorry Day (26 May), the anniversary of the 1967 Referendum (27 May), Mabo Day (3 June) and National Aboriginals Day, during NAIDOC Week (either the first Monday or Friday of July). Whilst all these dates are very important anniversaries, celebrating Australia Day on any of these days may not be seen as unifying for all Australians, and would be difficult to foster popular support. However, there is a deep need for a national day which celebrates Australia’s First Peoples and honours our survival of Australia’s horrific past, as an additional national public holiday. In my next column I will discuss these alternatives, and the support they have garnered over the years.

With regards to the other alternatives, Wattle Day on 1 September has the most potential. But first, I will surmise why the other days are not suitable.

New Year and ANZAC days are out because we already have public holidays on those days, connected with different traditions and celebrations. Many Australians would dread celebrating Australia day on New Year’s Day, and we don’t need another public holiday at that time of the year. ANZAC Day has a life of its own, and is not truly representative of all Australians. It also lacks political support. When raised in 2007 it was strongly opposed by both Prime Minister John Howard and Opposition Leader Kim Beazley.

The anniversary of Melbourne Parliament (1901) and Federal Parliament (1927) on 9 May and Constitution Day on 9 July are also not suitable choices. The timing is poor for both (being close to other public holidays and during winter), they have little tradition of being celebrated nationally and they lack public interest or significance.

The last contender, the Eureka Stockade, has been suggested as an alternative since the 1880s. Over the years however, the idea has failed to garner public support. Downsides include that it is closely associated with Victoria, that it is associated with radical political affiliations and because it’s too close to Christmas and other public holidays.

That leaves us with Wattle Day, which seems to tick all boxes. First, it is nationally celebrated on the first day of spring, which is a beautiful time across Australia, connected with concepts of new life and fresh beginnings. It also falls nicely in the national public holiday deficit between July and November and being in September, it does not clash with any state or territory wide celebrations. Apart from the timing being good,
however, the really poignant aspect of Wattle Day is its underlying ethos and rich history about a grassroots environmental movement, struggling for recognition.

Wattle Day’s long and interesting history has been described in detail by Maria Hitchcock in her book ‘Wattle’, and is also available in summary on the Wattle Day Association’s website. According to this history, the wattle was first used as an emblem in Tasmania in 1838. Near the end of the nineteenth century, it was embraced in Adelaide, where an association designed a flag and held the Wattle Blossom Social in 1890. Although this association dissolved, the wattle re-emerged in Melbourne, after it was mentioned in an article on national symbols in 1891. The article was in part responding to Canada’s choice of the maple leaf as their national emblem. That discussion lead to the idea that the wattle should become the Australian emblem.

The first suggestion of a Wattle Day was made in September 1908. This idea received support at a public meeting held to form a Wattle Day League in 1909. The meeting also agreed to encourage the coordination of all states. By around 1910, consensus was nationally reached that the wattle (rather than the waratah) should be the national emblem, since it grows throughout the nation. In that year, Wattle Day was celebrated in Sydney, Melbourne and Adelaide on 1 September 1910. Early Wattle Day activities included the planting of wattle trees in school grounds, school lessons on botany, street decorations of wattle blossom, and wearing sprigs of wattle, often sold for charity.

Wider acceptance of a national Wattle Day was achieved at an Australian Wattle Day League Conference in 1913. Branches were formed in a number of states, with the general aim of officially proclaiming wattle as the national floral emblem and extending Wattle Day celebrations throughout the nation. About this time, the wattle was officially incorporated into the Commonwealth coat-of-arms and the first wattle blossom stamp was issued.

Public support for Wattle Day peaked at the outbreak of World War I. The wattle took on a new significance as a symbol of home. It also became a means of fundraising for organisations including the Red Cross, and beautifully designed Wattle Day badges and sprigs were sold. Wattle Day continued to be celebrated during the 1920s and 1930s closely associated with schools and tree planting.

The World War II effort did not follow on in this tradition however, and following the war, it slowly died as a national celebration. It was not really resurrected again until April 1984, when the wattle’s green (leaves) and gold (blossom) were chosen as the national colours for Australia. This was followed on Wattle Day 1988 (the bicentennial year), when the Golden Wattle (Acacia pycnantha), was officially declared the national emblem for Australia. And in 1992, it was finally agreed that the first day of spring (1st September) each year would be Wattle Day, in every state and territory.

The ethos and history behind Wattle Day has enormous potential for public support. The Wattle Day leaders included botanists, naturalists and environmental enthusiasts. The day is about revering the natural beauty of Australia including our flora, fauna, national parks, rivers, lakes and oceans and could well include our national natural treasures like Uluru. The Australian bush is something most people who were born or raised here have a connection to and visitors are fascinated with. Popular activities like fishing, surfing, camping and bush walking all complement Wattle Day and could be seen as representative of the ‘spirit’ of Australia.

The day is also sensitive to Aboriginal and Torres Strait Islander peoples because it is about Australia’s natural beauty pre and post British arrival. Changing the day to Wattle Day would also be an important symbolic gesture to the First Peoples, which would aid in reconciliation and unifying the nation.

BIO: Tammy Solonec is a Nyikina woman from Derby in the Kimberley of WA. As well as being a qualified human rights lawyer, Tammy was a Director of the National Congress of Australia’s First Peoples, the Vice Chairperson of NAIDOC Perth, and is a member of the Indigenous Legal Issues Committee of the Law Society of Western Australia. Tammy has written this piece in her private capacity. The views contained are not representative of any of the organisations she is associated with.
The most important concept of the rule of law is that the law applies equally and fairly to everyone. The rule of law is the underpinning factor for human rights and is seen as the key to maintaining the right to life, security and liberty.

With the rule of law in mind, choose one of the three topics and complete the associated tasks for your chosen topic.

**Topic 1: Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015**

The Government of Western Australia is proposing to introduce new tough anti-protest laws with offences for preventing a lawful activity and also for possessing a thing for the purpose of preventing a lawful activity. The Attorney-General has stated that any concerns that the laws would target peaceful protesters are baseless and said that the new legislation was directed at protesters who physically interfere with the rights of others through the threat of force or by blocking access to stop lawful activity. However concerns have been raised by human rights lawyers, politicians, farmers, religious leaders and environmentalists that the legislation could potentially impose harsh penalties on ordinary members of the public and there is a risk that it could infringe basic civil liberties such as the right to peacefully protest.

The United Nations has urged the Government of Western Australia to withdraw the controversial new legislation stating that it could ‘result in criminalising lawful protests and silencing environmentalists and human rights defenders’ and highlighted that the new legislation ‘would go against Australia’s international obligations under international human rights law, including the right to freedom of opinion and expression as well as peaceful assembly and association’.

Prepare a presentation in the form of a multimodal presentation or an informative essay:

1. Outline the principle of the rule of law.
2. Outline the proposed amendments to the Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015.
3. If the proposed Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015 is passed do you think it will limit any of our freedoms and if so which ones?
5. Do you agree with the proposed amendments to the Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015? Give reasons for your views.

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Suggested resources and further information:

ABC News
The Australian Newspaper article
Human Rights Law Centre

**Topic 2: Racial Discrimination Act 1975 (Cth)**

In September 1975 Australia ratified the International Convention on the Elimination of All Forms of Racial Discrimination and shortly thereafter the *Racial Discrimination Act 1975 (Cth)* ('the RDA') came into being. Section 18C of the RDA makes it unlawful to offend, insult, humiliate or intimidate a person because of their colour, race or nationality. The Federal Government has recently proposed changes to this Act - see the following link which contains the proposed changes:

ABC News

Some politicians believe that Section 18C of the RDA is the greatest challenge to freedom of speech and repealing the section will reinstate freedom of speech.6

Prepare a presentation in the form of a multimodal presentation or an informative essay:

1. Outline the principle of the rule of law.
2. Outline the RDA and Section 18C.
3. If the proposed amendments to Section 18C are passed do you think it will limit any of our freedoms and if so which ones?
4. Are the proposed amendments to Section 18C of the RDA in keeping with the principle of the rule of law?
5. Do you agree with the proposed amendments to Section 18C of the RDA? Give reasons for your views.

Suggested resources and further information:

ABC News
Rule of Law Institute of Australia
Australian Human Rights Commission

**Topic 3: Criminal Organisation Control Act 2011 (WA)**

This has often been referred to as the anti-bikie legislation. This legislation came into effect in November 2013 and is aimed at driving criminal gangs out of Western Australia. Organised crime is when two or more people work together to commit a crime in order to profit.7 The types of crimes usually range from manufacturing and/or selling illegal drugs, money laundering, fraud and extortion.

Under this legislation police can make an application to the court for a declaration that a particular group is a criminal organisation. Once a group has been declared a criminal organisation, police can then apply to the court for a control order banning a person from associating, going to certain places and even wearing gang colours.

The new laws provide the WA Police with significant new powers in relation to people who are the subject of a control order such as being required to attend a police station to have their identification particulars taken. The law applies to people as young as 16 or 17 years old in the same way as it does to adults, for example, juveniles can be subjected to control orders with the same conditions as adults. There are new penalties, including mandatory sentencing, for people convicted of certain offences that have been committed in connection with a declared criminal organisation.8

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Civil libertarians and human rights groups have raised concerns that the new laws go towards diminishing many of our rights such as the presumption of innocence and freedom of association. It is claimed that potentially a person could be unaware that they are associating with a person who was subjected to a control order. Despite these concerns the Attorney-General has stated that in general members of the public have nothing to fear.9

Prepare a presentation in the form of a multimodal presentation or an informative essay:

1. Outline the principle of the rule of law.
2. Outline the new laws that resulted from the Criminal Organisation Control Act 2011 (WA).
3. Does the Criminal Organisation Control Act 2011 (WA) limit any of our freedoms and if so which ones?
4. Is the Criminal Organisation Control Act 2011 (WA) in keeping with the principle of the rule of law?
5. Do you agree or disagree with the new laws resulting from the Criminal Organisation Control Act 2011 (WA)? Give reasons for your views.

Suggested resources and further information:
Rule of Law – Report on Position in Australian States
Rule of Law Summary of Legislation and Case Law
Rule of Law Response to Organised Crime in Australia
Law Council of Australia
Australian Criminal Intelligence Commission 2015 Report

CRITERIA FOR ASSESSMENT

1. Relevance to the topic
2. Shows a good understanding of the rule of law
3. Provides well-reasoned answers for views taken
4. Accuracy of grammar and spelling
5. Referencing of sources used (either with footnotes or endnotes)

Indigenous Australians have lived according to their lore for tens of thousands of years long before European settlement. After settlement, clashes between Indigenous lore and British law caused extreme hardship for the local Indigenous. View the eight minute audio-visual presentation of Weewar.

Prepare a presentation in the form of a multimodal presentation or an informative essay:

- Using the following websites research the difference between Indigenous Lore and Australian Law.
- Outline the different perspectives for both Indigenous and non-Indigenous Australians in regards to a national identity.
- Discuss ways in which the two types of lore/law may be able to work together.

**Aboriginal Australia**

**Kaartdijin Noongar – Noongar Knowledge**

**Clashes of Lore/Laws**

**CRITERIA FOR ASSESSMENT**

1. Relevance to the topic
2. View the eight minute audio-visual presentation of Weewar and refer to Weewar as an example of the clash of lore/laws
3. Refer to at least one of the following websites in your discussion

   - Aboriginal Australia
   - Kaartdijin Noongar – Noongar Knowledge
   - Clashes of Lore/Laws
4. Show an awareness of the different perspectives for both Indigenous and non-Indigenous Australians in regards to a national identity
5. Creativity: add any other details which you think are appropriate
6. Accuracy of grammar and spelling
7. Referencing of sources used (either with footnotes or endnotes)

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