

We are a group of Noongar people from the South West region of Western Australia seeking funding to support our legal costs to oppose the 6 Indigenous Land Use Agreement (ILUA) settlements with the South West Land & Sea Council (SWALSC) and the State Government.

Our group was founded in December 2014 to oppose the 6 ILUA settlements and to campaign against the authorization meetings held from 31 January 2015 to 28 March 2015.

- With an estimated 35,000 Noongar people in the south west region. We believe that the ILUA settlements discriminate against our people. The Noongar people are required to surrender all land in return for small pockets of land set aside under the deal. We are required to surrender our traditional ownership and native title rights, to have the power and civil right to negotiate for any royalties forthcoming. Through this ILUA, we are also required to surrender ('relinquish') all rights to challenge against 'negligence' under 'duty of care' within civil law legal obligations, any hurt, suffering and pain from the enactment of the native title act and all other acts.
- The Noongar people and Non-Aboriginal people will have no say about land developments and the clearance of large areas of bushlands, thus preventing our say into any further destructions of 'natural resources' (food, fauna and habitat) for our native wildlife and surrounding environment within the South West lands. Additionally, to this we will have no say about corporate control via mining development entities and prevention of the devastating impact on the environment, they withhold. These are just a few of the 'unfair treatment' and blatant disregard of civil rights requirements of this ILUA settlement.

Our Legal Team

Murfett Legal (Law firm) and their legal team are currently representing our applicants (listed below) in opposing the 6 ILUA settlements and have provided legal advice to our group since October 2015:

- Mingli Wanjurri-Mc Glade (Senior Elder)
- Mervyn Eades
- Naomi Smith
- Margaret Culbong (Senior Elder)
- Benedict Taylor (Senior Elder)
- Joanne Hayward
- Averil Williams
- Carl Winmar
- Lynette Winmar
- Fabian Yarran

What is law?

As noted in (Latimer, 2015) Australian Business Law 34th edition, 2015. Law consist of a body of principles recognized by parliament and by the courts (*Under Commonwealth (Cth)*). Whereas, law is therefore made by us, (parliamentarians and judges) for us, (the people) and is a legally enforceable and developed to set standards of conducted between us, (people, businesses and government), or whosoever should have dealings with these organisations or agencies.

If these standards of conduct are not followed, not adhered to or administered correctly, the law sorts the conflicts that may arise, and punish those whom are in serious breach of these standards of conduct.

The Rule of Law?

The foundations of our legal system is established upon the principle of the rule of law. That the authority of government must exercise according to law (*Commonwealth, Cth*). Which are three rules of law;

(1) Non arbitrary power

(2) Equal before the law

Where all people are equal before the law and nobody is above the law ie: the Prime Minister, a judge, or a soldier may be liable in criminal law and the rule of law is a prerequisite for democracy (a democratic society under Commonwealth (Cth).

(3) Enforcement in court

Our Legal proceedings

On 16th December 2015, Murfett Legal lodged objections for each of the members in our group against the 6 ILUA settlements in the registrar of Native Title Tribunal in Perth, Western Australia.

On the same day, Murfett Legal also lodged proceedings in the High Court of Australia for four (4) members of our group. Under **Case name;** McGlade v Registrar NTT & Ors and related proceedings:

- P59/2015 – Mc Glade v. Registrar Native Title Tribunal & Ors
- P60/2015 - Eades v. Registrar Native Title Tribunal & Ors
- P61/2015 - Smith v. Registrar Native Title Tribunal & Ors
- P62/2015 - Culbong v. Registrar Native Title Tribunal & Ors

On Wednesday 17th February 2016, the High Court summons a directions proceeding between Murfett Legal, the Registrar of Native Title Tribunal, State of Western Australia, South West Aboriginal Land & Sea Council (SWALSC), and against the ‘Representative Parties’ who signed the ILUA’s.

We are now waiting for notification of a date for a full bench hearing in the Federal Courts.

Currently, we have no financial support to oppose this important High Court case, for traditional owners ‘rites of passage’ which has been passed down from generation to generation, to make the stand for necessary amendments to South West Native Title claim. Which is inadvertently, a great ‘injustice’ and lack of communication consideration an even negotiation to all traditional owners living within the assigned South West, Western Australia boundaries.

When you take under advisement and consider that SWALSC, the National Native Title Tribunal (NNTT) and State government regulative bodies, are overly financed, prepared and fully supported in employing ‘top gun’ lawyers to represent their cause against us. We, the applicants who are speaking for and representing a large number of members. Do not have the capacity to provide ongoing funding assistance to remunerate our legal team for their services.

So we are calling upon those whom are in favour to ‘come forward’ and support our cause. By means of donations for ‘our cause’. To change the mindsets and legislative laws which are not identifying and addressing the needs of our people in this generations. Which will impact on our children and children’s, children in the future.

Our trust account details for deposit of monies are:

Trust Account Name:	Murfett Legal Trust Account
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BSB:	336 065
Account:	553 391 865
Reference Name:	Mc Glade v Registrar NTT & Ors
Once deposited, please email receipt to: <i>However, if you wish to remain anonymous donator, we thank you for your kind contribution to 'our cause'</i>	Jason De Silva = jasond@murfett.com.au