



22 MAY 2012

Office of the Hon Jenny Macklin MP
Minister for Families, Community Services and Indigenous Affairs
Minister for Disability Reform

Parliament House
CANBERRA ACT 2600

Telephone: (02) 6277 7560
Facsimile: (02) 6273 4122

MC12-005097

22 MAY 2012

Ms Robyn Ayres and Ms Delwyn Everard
Executive Director and Senior Solicitor
Arts Law Centre of Australia
43-51 Cowper Wharf Road
WOOLLOOMOOLOO NSW 2011

Dear Ms Ayres and Ms Everard

Thank you for your email of 17 April 2012 to the Minister for Families, Community Services and Indigenous Affairs, Minister for Disability Reform, the Hon Jenny Macklin MP, regarding the intestacy provisions in the Aboriginal Affairs Planning Authority Act (Western Australia). The Minister has asked me to reply to you on her behalf.

The Australian Government is committed to reducing Indigenous disadvantage and discrimination by supporting the development of an National Anti-Racism Strategy, as well as working towards Constitutional recognition of Aboriginal and Torres Strait Islander peoples.

It is clear that your organisation supports changes that the Western Australian Government is proposing to make in relation to the intestacy provisions in the Aboriginal Affairs Planning Authority Act (WA) (the Act).

As you would be aware, repeal or amendment of state legislation is a state matter. Accordingly, I have referred your letter to the Western Australian Minister for Energy, Minister for Training and Workforce Development, Minister for Indigenous Affairs, the Hon Peter Collier MLC, for consideration.

I have been advised that the Western Australian Government is currently reviewing the Act with a view to making a number of amendments and note your intentions to commence a test case if the legislative reform is not implemented by November 2012.

I have also been advised that the Western Australian Department of Indigenous Affairs has recently given your organisation a grant to provide Indigenous artists assistance in understanding the benefits of having a will and how to write wills.

I understand that your letter has been sent to the Attorney-General, Minister for Emergency Management, the Hon Nicola Roxon MP, and the Minister for Regional Australia, Regional Development and Local Government, Minister for the Arts, the Hon Simon Crean MP, for their consideration.

Your commitment to reducing discrimination against Indigenous people is commendable. The task of closing the gap on Indigenous disadvantage would be much harder if not for people like you to provide a positive future for the families of Indigenous people who die without a will.

Thank you again for writing.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Broadbent', with a stylized, cursive script.

Sarah Broadbent
Adviser