

# Appendix 1b: Major Legal Developments Affecting Aboriginal Australians

	Land and Resources	Civil and Criminal	Political
1788			British settlement.
1826		<b>R. v. Ridgway and Ors</b> (NSW) - Non-Aboriginal found guilty of killing Aboriginal - capital punishment.	
1835	<b>Governor Bourke's Proclamation</b> (UK) - of <i>terra nullius</i> .		
1869		<b>Aborigines Protection Acts</b> , begins era of extensive powers over Aborigines.	
1886	<b>Cooper v Stuart</b> (Cth) - no land law or tenure existing in the colony at the time of annexation.		
1889	<b>Land Acts</b> . Reserve lands for Aborigines also permitted access to pastoral leases for food.		
1902			<b>Commonwealth Franchise Act</b> (Cth) - No Aborigine entitled to vote unless entitled to a state vote.
1905			<b>Election Acts</b> (Qld) - Aborigines prohibited from being registered.
1905		<b>Aborigines Act</b> (WA) - Chief Protector given legal guardianship over all Aboriginal children and 'half-castes', prohibition of co-habitation between Aborigines and non-Aborigines.	
1907			<b>Electoral Act</b> (WA) – Aborigines disqualified from being enrolled.
1911		<b>Aboriginals Ordinance</b> (NT) - Administrators empowered to declare any place a prohibited area for aborigines and half castes.	
1913		<b>The Sugar Growers' Employees Act</b> (Qld) - Aborigines paid less than other worker.	
1917	<b>Fisheries Act</b> (SA) - Full blooded Aborigines permitted to take fish for household consumption.		
1930			<b>Election Acts Amendment Act</b> (Qld) - Disqualification of Torres Strait islanders and 'half-castes' from enrolment.
1933	<b>Land Act</b> (Qld) - enable Indigenous claimants to obtain leases over reserve land.		
1938			Aborigines Progressive Association declares a Day of Mourning and holds the first Australian Aborigines Conference. The conference seeks full citizenship for Aborigines.
1940		<b>Native Administration Ordinance</b> (NT) - established courts for native	

		matters only. Repealed 1964.	
1941		<b>Aboriginals Ordinance</b> (NT) - Penalties for entering Aboriginal reserve and enticing Aborigines off the reserve.	
1943		<b>Aborigines Protection Act</b> (NSW) - Two Aborigines on Welfare Board. Duty to assist in assimilation.	
1944			<b>Native (Citizen Rights) Act</b> (WA) - Citizenship granted an Aborigine who 'adopted the manner and habits of civilised life'.
1946		<b>Workmen's Compensation Ordinance</b> (NT) - Workman defined to exclude any full blood Aboriginal.	
1949			<b>Commonwealth Electoral Act</b> (Cth) – Aborigines entitled under State law to vote, to be placed on the Commonwealth roll - SA, Vic, NSW.
1951		<b>Cattle Station Industry Award</b> (NT) - Aborigines excluded from its operation.	
1955	<b>Native and Historical Objects and Areas Preservation</b> (NT) Offence to deface or damage or interfere with Aboriginal relics or places.		
1957		<b>Aborigines Act</b> (Vic) - Aborigines Welfare Board promoted assimilation. Two members to be Aboriginal.	
1958			<b>Federal Council for Advancement of Aborigines and Torres Strait Islanders.</b>
1962			<b>Commonwealth Electoral Act</b> (Cth) - Aborigines given the right to vote in Commonwealth elections without the right at state level.
1963			<b>The Bark Petition</b> (NT) - Presented to Federal Parliament by Yolgnu People from Arnhem Land - recognition of land rights.
1963		<b>Aborigines Protection Act</b> (NSW) - Repealed alcohol prohibition, vagrancy and police offences. Medical examinations abolished. Controls remained in relation to child welfare.	
1964			<b>Freedom ride</b> (WA) - Protest through against discrimination.
1965		<b>Aboriginal and Torres Strait Islander Affairs Act</b> (Qld) - Introduced the principle of assimilation. Repealed earlier protection provisions.	<b>ATSI Affairs Act</b> (Qld) - Aborigines given state voting rights.
1966		<b>Cattle Station Industry Award</b> (NT) - award to apply equally to Aborigines.	
1966			Gurindji peoples' <b>Wave Hill</b> protest.
1966	<b>Aboriginal Lands Trust Act</b> (SA) - first legislation to recognise rights of Aboriginal people to their traditional		

	lands.		
1967		<b>Australian Workers Union v Graziers Association of New South Wales</b> - Aborigines who are union members to be employed under award conditions.	
1967		<b>Constitution Alteration (Aboriginals)</b> (Cth) - Referendum - Commonwealth power to make laws regarding Aboriginals and be counted in census.	
1968	Yirrkala people of Arnhem Land lodge first Aboriginal claim in court for recognition of traditional title to land.		
1968		<b>Aboriginal Enterprises (Assistance) Act</b> (Cth) - Establishes fund for Aboriginal business enterprise.	
1968		<b>State Grants (Aboriginal Advancement) Act</b> (Cth) - Payments made to the States.	
1969		<b>Abstudy introduced</b> - Provided financial assistance to Aboriginal students.	
1970			First <b>Aboriginal Legal Service</b> established at Redfern.
1970	<b>Mining Ordinance</b> (NT) - application for licence to explore for minerals, must take into account Aboriginal reserves and well-being and employment.		
1971			Aboriginal Flag born.
1972	Yirrkala receive royalties from bauxite mining on their country.		
1973	<b>Woodward Land Rights Commission</b> (Cth) Inquiry into ways to recognise Aboriginal land rights in the Northern Territory.		<b>Department of Aboriginal Affairs</b> formed.
1973			<b>National Aboriginal Consultative Committee established</b> (Cth) - Committee to ensure that Aboriginal views taken into account.
1975		<b>Racial Discrimination Act</b> (Cth).	
1976			<b>Aboriginal Councils and Associations Act</b> (Cth) - Establishment of Indigenous councils and incorporation of Aboriginal associations.
1976	<b>Aboriginal Land Rights (Northern Territory) Act</b> (Cth) - Aboriginal Land Commissioners, Land Trusts, Benefit Trust Account		<b>ALR (Northern Territory) Act</b> Central, Northern, Tiwi, and Anindilyakwa Land Councils.
1977			<b>Community Development Employment Programme.</b> 'Work for the dole.'
1979		<b>AWU v Department of Aboriginal and Islanders Advancement</b> (Qld) - Aboriginal workers on reserves to be paid at award rates.	

1979			<b>National Aboriginal Conference</b> puts forward Treaty proposal.
1980			<b>International Covenant on Civil and Political Rights</b> (International) entered into force for Australia. Includes the right to self determination.
1981	<b>Pitjantjatjara Land Rights Act</b> (SA) - vests freehold to all former reserve lands.		
1983	<b>Aboriginal Land Rights Act</b> (NSW) - Freehold granted to Aboriginal Land Councils over existing reserves. Allows for claims over some crown lands.		
1984		<b>Adoption of Children Act</b> (Vic) - All reasonable efforts made to place Aboriginal children with Aboriginal families.	
1986			<b>Human Rights and Equal Opportunity Commission Act</b> (Cth)
1989			<b>Aboriginal and Torres Strait Islander Commission Act</b> (Cth) - ATSIC Established.
1991			<b>Royal Commission into Aboriginal Deaths in Custody</b>
1992	<b>Mabo and Others v. Queensland</b> (Cth) - native title is capable of recognition by the common.		
1993	<b>Native Title Act</b> (Cth) - Scheme for obtaining a determination as to whether native title exists.		
1995			<b>Gibbs v Capewell</b> (Cth) - Determination of the meaning of 'Aboriginal Person' - a challenge to candidate to ATSIC council.
1995	<b>Land Fund and Indigenous Land Corporation Act</b> (Cth) - To help Aboriginal groups purchase and manage land.		
1997			<b>Human Rights and Equal Opportunity Commission</b> (Cth) "Bringing Them Home Report" the 'stolen generation'.
1997		<b>Hindmarsh Island Bridge Act</b> (Cth) - Prevented Heritage Protection Act 1984 from affecting the building of Hindmarsh Island Bridge.	
2000		<b>Cubillo v Commonwealth</b> (Cth) – Case by two members of the 'stolen generation' dismissed.	
2002	<b>Yorta Yorta v Victoria</b> (Cth) – Continuity of native title practices essential to succeed in claim.		