

EDITORIAL

I welcome you to the 11th Issue of *Court of Conscience*. The 2017 thematic is entitled ‘Enough Said’. This theme confronts the slow rate of change evident on the Australian social justice landscape. For example, six of the seven Closing the Gap targets are not on track.¹ The United Nations Special Rapporteur on the Rights of Indigenous Peoples has described this as ‘woefully inadequate’.² Accordingly, the theme calls for an end to circular dialogue and debate which produces little tangible change. As Kevin Rudd fittingly said in the Apology to Australia’s Indigenous Peoples: ‘It is not sentiment that makes history; it is our actions that make history’.³ Change is not inevitable. We must adopt a stance that is future-focused, innovative and collaborative to ensure that solutions are implemented and goals achieved.

The articles in this Issue present compelling reflections upon the thematic. They have been submitted by academics, legal professionals, a Member of the NSW Parliament, a former Justice of the High Court of Australia, the CEO of a not-for-profit organisation and, of course, UNSW Law students.

Jemima McCaughan and Merinda Dutton examine how the housing system breaches the human rights of Indigenous Australians, and call for modifications which would allow dispute resolution mechanisms to better embody an understanding of Aboriginal culture.

There has been constant debate in the Australian context regarding the efficacy of enacting a national Human Rights Act. Using real-life examples, Nathan Kennedy considers this debate and the impact such legislative change would have upon domestic social justice concerns.

Domestic violence is an endemic yet often hidden occurrence across all sectors of Australian society. Candy Welsh considers family violence within Indigenous communities and presents a framework upon which programs aimed at reducing violence and empowering Indigenous women can be based. Libby Davies unpacks and justifies the innovative work of

- 1 Department of the Prime Minister and Cabinet, ‘Closing the Gap – Prime Minister’s Report 2017’ (Australian Government, 2017) 4.
- 2 Victoria Tauli-Corpuz, *Report of the Special Rapporteur on the Rights of Indigenous Peoples on her Visit to Australia*, UN Doc A/HRC/36/46/Add.2 (8 August 2017) 9 [47].
- 3 Commonwealth, *Parliamentary Debates*, House of Representatives, 13 February 2008, 167 (Kevin Rudd).

White Ribbon Australia, who focus on engaging and educating men about domestic violence to reduce its prevalence.

Michaela Vaughan considers the likelihood of change following the upcoming report of the Royal Commission into the Protection and Detention of Children in the Northern Territory, and draws attention to the work of local organisation, Danila Dilba, in supporting Indigenous juvenile detainees and their communities.

Mehreen Faruqi explains the foundations of the End12 campaign to decriminalise abortion in New South Wales and advocates for this legislative change.

Shifting from domestic to international social justice concerns, the Hon Michael Kirby analyses the violations of human rights in North Korea and calls upon the United Nations and international community to take action. Jeswynn Yogaratham highlights the approaches and frameworks which could assist the United Nations in responding to refugees and asylum seekers. Natasha Naidu respectfully critiques the stance of the 2017 thematic through an examination of sexual and gender based violence at the Extraordinary Chambers in the Courts of Cambodia.

The 11th Issue of *Court of Conscience* represents a collaboration between many individuals who have worked tirelessly in different capacities. First, to the authors, I commend you for producing insightful articles of such high standard. Your cooperation and patience throughout the editorial process has been much appreciated.

To the 2017 Editorial Team, I say an immense thank you. The quality of this publication is a testimony to your skilfulness, diligence and passion. It has been a joy to work alongside you this past year and I am deeply grateful for your insight and support.

The design of this Issue is bold and thought-provoking, a perfect embodiment of the theme. I thank Alexander Tanazefi for his innovative concept and for ensuring its flawless execution.

Throughout the publication is a series of stunning artworks produced by Miri Badger. We are both privileged and thankful that she has again so perfectly captured the Issue in visual form.

I also acknowledge the continued support provided by both the UNSW Law Society and the UNSW Faculty of Law.

I believe that you will find this Issue of *Court of Conscience* challenging and inspiring. Simply put, that is 'enough said'.

Ellen O'Rourke
Editor-in-Chief

