**38.**  D WYkanak

Subject: ALRC Traditional Rights Freedoms Privileges Inquiry Contribution Submission from dominicWYkanak

ALRC   
  
The Executive Director  
Australian Law Reform Commission  
GPO Box 3708  
SYDNEY NSW 2001  
  
Phone: (02) 8238 6333  
Fax: (02) 8238 6363  
  
E-mail: [info@alrc.gov.au](mailto:info@alrc.gov.au)  
  
  
Inquiry into Traditional Rights/Freedoms/Privileges:   
  
Contribution / Submission from dominicWYkanak:   
  
Sovereignty of Aboriginal Torres Strait Islander Peoples should be central to any Australian Law Reform Commission examination of Rights and Freedoms. Therefore my submission is that the Rights and Freedoms ALRC Review should be closely considered in relation to the ALRC Inquiry Review of the Native Title Act and that there should be a deeper ALRC examination of the Inherent Rights, and therefrom recognised Freedoms and Privileges of Aboriginal Torres Strait Islander Peoples under all the relevant headings outlined for the broader discussion of Australian Rights, Freedoms and Privileges.   
  
It seems a form of institutionalised racism exists in the way I perceive evidence in Native Title and Land Rights cases is tested. Great detail and accuracy is required of Aboriginal Torres Strait Peoples in proving Native Title genealogies and presenting Cultural Connexions to Country, yet the same rigour, onus and burden of proof seems lacking for the Crown Land/Water Title Holders contesting Native Title Claims to test if those nonAboriginal Title Holders have actually met any or all of the conditions of the grants and leases assigned to Them since the first alienations of title. I request that ALRC examine these circumstances in relation to shifting the burden of proof, inherent property rights and related headings of this Traditional Rights, Freedoms and Privileges Review , but to also report on this Rights/Freedoms/Privileges Inquiry in part with a discussion informed by any pertinent passages from the ALRC's examination of the context of the Native Title Act Inquiry.   
  
I seek to make some further Submission comments to these Inquiries soon after Fri27Feb2015,   
  
THAN..X..,  
  
Yours In Inherent Traditional Aboriginal Islander Rights,   
  
dominicWYkanak