

## EDITORIAL

Welcome to the latest edition of the *Indigenous Law Bulletin* ('ILB'). We begin this edition looking at a workshop hosted by the Indigenous Law Centre on 5–6 April 2013—marking the 20th anniversary of the *Native Title Act 1993* (Cth). Reporting on the workshop, Jackie Hartley and Dylan Lino bring together the thoughts and contributions of a number of leaders in this field including Jon Altman, Marcia Langton, Glen Kelly, Sean Brennan, Ciaran O'Faircheallaigh, Bret Walker and Brendan Edgeworth.

Heron Loban turns our attention to the role of consumer protection laws in safeguarding Indigenous people in their dealings with 'telcos'. Examining three recent cases in the Federal Court, Heron looks at the challenges both regulators and Indigenous communities face in successfully harnessing the core benefits of mobile technology whilst managing the potential for financial harm and its flow-on effects.

Allan McCay considers the so-called *Fernando Principles* which concern the mitigating effect of certain social circumstances in respect of the sentencing of Aboriginal offenders. In a thought provoking paper, Allan considers the possibility that some who encounter Fernando environments have a *genetic vulnerability* to the criminogenic effects of such environments and, as a result, may deserve more mitigation than is currently granted.

We catch-up with Gemma McKinnon—the recent recipient of a prestigious Churchill Fellowships. In our interview with Gemma she tells us about her research, where it has taken her and what she has learnt about programs that assist Indigenous students gain entry to law school and support them throughout the course of their studies.

Virginia Marshall, Terri Janke and Anthony Watson provide us with a case study of the Mudjala TK Project—the development of a novel pain-killing medicine from traditional Aboriginal medicine. The authors discuss the path to realising patent registration, striking the balance between sustainable development and maintaining rights in traditional knowledge as well as how to develop meaningful project partnerships under the patent system.

Fiona Martin looks at a mining agreement over native title land in the Kimberley Region of Western Australia. Fiona talks through some legal and investment decisions for relatively small groups of Indigenous Australians that hold native title and who also receive small, irregular or one-off mining payments.

Finally, Kemble Walker reviews the new book from Pulitzer Prize-winning author, Jared Diamond, *The World Until Yesterday: What Can We Learn from Traditional Societies?*.

**Robert McCreery**  
Editor

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## SEEKING CONTRIBUTORS

Would you like to submit an article to the  
*Indigenous Law Bulletin*?

If you are a student, practitioner, part of a community organisation, or are simply concerned about issues affecting Aboriginal and Torres Strait Islander people, the ILB wants to hear from you! We welcome contributions from Indigenous and non-Indigenous authors, on a wide range of topics. For more information, please visit our website at [www.ilc.unsw.edu.au](http://www.ilc.unsw.edu.au), or contact the Editor at [ilb@unsw.edu.au](mailto:ilb@unsw.edu.au).

*Aboriginal and Torres Strait Islanders are advised that this publication may contain images of deceased persons.*