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

EDITORIAL

2016 is not only a federal election year, it will also be host to Referendum Council conventions all around the country gauging the views of Aboriginal and Torres Strait Islander peoples regarding Constitutional recognition and what form it should take, if any. At the *Indigenous Law Bulletin*, we look forward to providing timely and accurate coverage of Constitutional reform throughout 2016 as Australia takes the journey towards a possible referendum.

In this edition, Nathan Boyle of ASIC provides us with an analysis of the current regulation of 'book up'. In light of numerous reports highlighting the harmful practices of unscrupulous book up operators, Boyle outlines the current limitations of the legislation and case law, and proposes law reform which could more effectively regulate the service and protect consumers.

Professor of Law Brendan Edgeworth writes on the four significant, post-*Ward* High Court native title decisions of *Akiba*, *Karpany*, *Brown* and *Congoo*, and distils the shift in the Court's definition of native title as well as its approach to extinguishment.

ANU's Mary Spiers Williams breaks down the findings of a cost-benefit analysis of the Yuendumu Mediation and Justice Committee, an initiative that draws upon traditional Warlpiri dispute-resolution practices, and in doing so extracts a financial argument not just for local and grounded responses as solutions for problems in communities, but also for justice reinvestment and diversion across the board.

Finally, we have two articles focusing on Indigenous people with mental and cognitive disabilities in the criminal justice system. First, the team of researchers responsible for the IAMHDCD project report on their findings, and outline the five principles and associated strategies they recommend. Second, Patrick Keyzer and Darren O'Donovan of La Trobe Law School report on the key challenges identified in this area by professional stakeholders, then go on to outline proposed draft legislative changes that would address these challenges. With recognition, symbolic or otherwise, to be the focus of conversations around the country throughout 2016, it seems apt to conclude with this insight from their piece:

The issue of intellectual disability and the criminal justice system cannot be detached from broader challenges around the recognition of self-determination. Committing Australian governments to designing pathways back home for those Indigenous people whose complex support needs have not historically been met can thus be an important step to practical, not merely symbolic, recognition.

Emma Rafferty

Editor