

One month for sex abuse a 'disgrace'

From Page 1

it's called rape," she said yesterday. "All cultures change and adapt with time and circumstance and, in my view, underage sex of promised girls is one area where Aboriginal culture needs to change."

"We can't want, on one hand, our fundamental human rights respected and, on the other hand, force a 14-year-old girl into a sexual relationship."

National Secretariat for Aboriginal and Islander Childcare chairwoman Muriel Cadd said traditional law needed to be reviewed by indigenous communities in order to protect children.

"The practice of abusing children has to stop and we have to re-look at traditional laws to make sure that the rights of children are kept at the centre of our thinking," she said.

Member of the National Indigenous Council and incoming national president of the ALP Warren Mundine said the

THE OLD AND THE NEW

Traditional law

The practice of arranged marriages involves an infant girl being promised to an adult male. The contract imposes obligations on the prospective husband with respect to the child and her family; and obligations on the parents and child with respect to the prospective husband. The child is expected to understand the nature of the contract when she reaches puberty.

current situation was unacceptable. "I think the courts have tried to make up for misdemeanours in the past and they have got to bizarre levels now," he said.

"Mistreatment of women, whether they are adults and children, is never on and it's about time they woke up to this fact. It's about time Aboriginal women got treated with respect."

North Australian Aboriginal Legal Aid Service director Sharon Payne argued

The law

Clare Martin's Government repealed a part of the Territory's criminal code that let indigenous men defend themselves against charges of unlawful carnal knowledge, where they had sex with a bride under 16.

Under the changes to the NT Criminal Code, customary law could no longer be used as a defence but could later be used as a mitigating factor.

that there should be more involvement from Aboriginal elders in the sentencing process, saying there was usually nothing wrong with promised marriages as such.

"Promised brides are really about keeping kinship systems here, making sure the story of the country continues in the way it should," she said.

"But the issue of forcing somebody to have sex against their will is a different matter altogether."