

Serving Justice: Addressing systemic barriers within the Northern Territory's justice system

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Outline

- **This presentation will focus on the barriers to justice for Aboriginal Territorians.**
 - Many of these barriers sit within pressure points that lie outside of the justice arena.
 - These pressure points are too often **ignored, dismissed** or are **unknown**.
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Northern Territory Aboriginal Justice Agreement


- Over a 2-year process between 2017-18; AJU conducted **120** consultations across the NT
- **80** consultations were held with remote NT Aboriginal communities/organisations
- **Approach**
 - Evidence based
 - Unrushed consultation period
 - Use of interpreters and cultural brokers
 - Aboriginal-led
 - Supported by strong CEO leadership





Pressure points for Aboriginal Territorians

Many of the pressure points impacting Aboriginal Territorians sit outside of the justice arena, such as:

- Demographic and geographic factors
 - Language
 - Cultural competency
 - Complaints processes
 - Media and Communication
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Key Stats – Demographics (NT specific)

- **In the Northern Territory:**
 - 30% of the Northern Territory population is Aboriginal.
 - Of this 30%; 29% are aged between 0 – 14 years.
- NT Aboriginal population growth rate is projected to be higher than that of non-Aboriginal Territorians
- There are up to 104 Aboriginal languages and dialects spoken in the Territory.
- 15.3% of the NT population speak an Aboriginal language at home.

Key Stats – Geographic information (NT specific)

- There are 73 remote Aboriginal communities in the NT.
- 75% of all the Northern Territory's roads are unsealed.
- 76% of Aboriginal Territorians live in remote or very remote areas.
- Many remote and very remote communities are inaccessible by road during the 'wet season' (November – April)



Key Stats – Disparity (NT specific)

KEY STATISTICS – DISPARITY BETWEEN ABORIGINAL TERRITORIANS AND NON-ABORIGINAL TERRITORIANS

ABORIGINAL TERRITORIANS

NON-ABORIGINAL TERRITORIANS

Male and Female Average Life Expectancy

Aboriginal men = 63 years
Aboriginal women = 69 years

non-Aboriginal men = 78 years
non-Aboriginal women = 83 years

Average weekly income

\$340.00

\$1,240.00

Unemployment rate (15 years and over)

25%

2.3%

Public hospital occupancy

70%

30%

Homelessness

88%

12%

Key Stats – Disparity cont.

- **89%** of victims of Domestic and Family Violence related assaults are Aboriginal.
- In 2016, **75%** of Aboriginal children found guilty of an offence had previously been reported to child protection.
- Nationally in 2014-15, **90%** of Aboriginal people over the age of 55 were affected by long term health conditions (incl. diabetes, cardio vascular disease and respiratory disease).



KEY STATISTICS – DISPARITY BETWEEN ABORIGINAL TERRITORIANS AND NON-ABORIGINAL TERRITORIANS

ABORIGINAL TERRITORIANS

NON-ABORIGINAL TERRITORIANS

Likelihood of entering police custody for specific offence

75%

57%

Likelihood of being charged and placed on remand for specific offence

84%

65%

Likelihood of breaching bail

85%

13%

Most prevalent offence

Acts intended to cause injury

Illicit drug offences

Likelihood of serving a term of imprisonment in a correctional institution

59%

33%

Recidivism rate

60%

26%

Juries

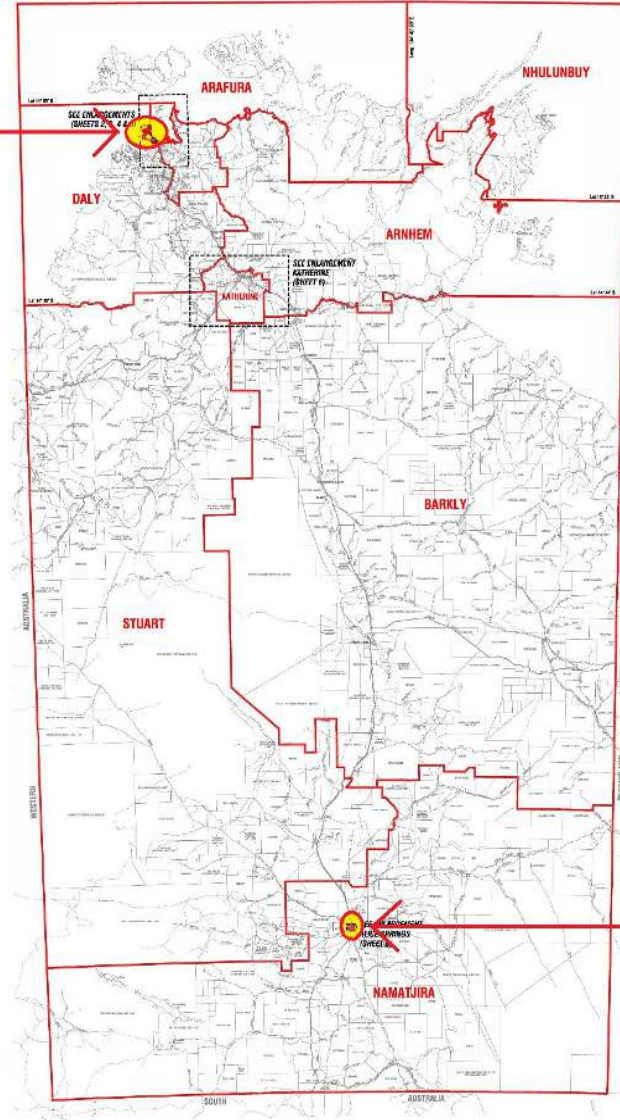
The NT Law Handbook states:

“The Australian justice system works on the principle that people charged with certain crimes should be tried and judged by their peers.”


“Jurors play an important role in criminal trials because, as representatives of the general public, they are considered to guarantee an independent and common-sense approach to evaluating evidence presented during a court proceeding.”

Northern Territory Electoral Commission Current Ward Boundaries

Darwin Jury
Selection
District




Alice Springs
Jury Selection
District




Real stories and experiences of Aboriginal Territorians

“Interpreters are needed for our mob who are too shy to speak in English. Particularly if it’s a stressful thing to talk about – it’s hard enough trying to understand English when we have to try and work out what the English word is in our second, third or even fourth language sometimes.”


“We need interpreters at court to explain what’s going on to the offender and their family – a lot of the time they don’t understand.”







“There are no interpreters in prison – I’ve been helping other fellas in here who can’t read and write English that well, by writing letters for them or reading stuff and explaining it.

If I don’t help, no one will – it can take days to get an appointment with your lawyers and sometimes we just can’t wait that long.”





“They don’t use interpreters when we do prison programs and I’ve noticed some of the traditional fellas just nod their head so they can pass the program and get a little time off their sentence maybe but they have no idea what the course was about or why they had to complete it .”



Cultural Brokers

“A person who facilitates the interaction between one culture and another. Cultural brokers work to educate and prepare the host culture as well as the visitor, dispelling social myths and working through any cultural barriers that may disrupt relationships or cause misunderstandings.

Cultural brokers build community and trust among people of different backgrounds, helping parties to work together and build enterprises and ventures both cooperatively and with visions that will benefit both groups.”

Centre for International Rehabilitation Research Information and Exchange ‘The rehabilitation service provider as cultural broker’ (2001)

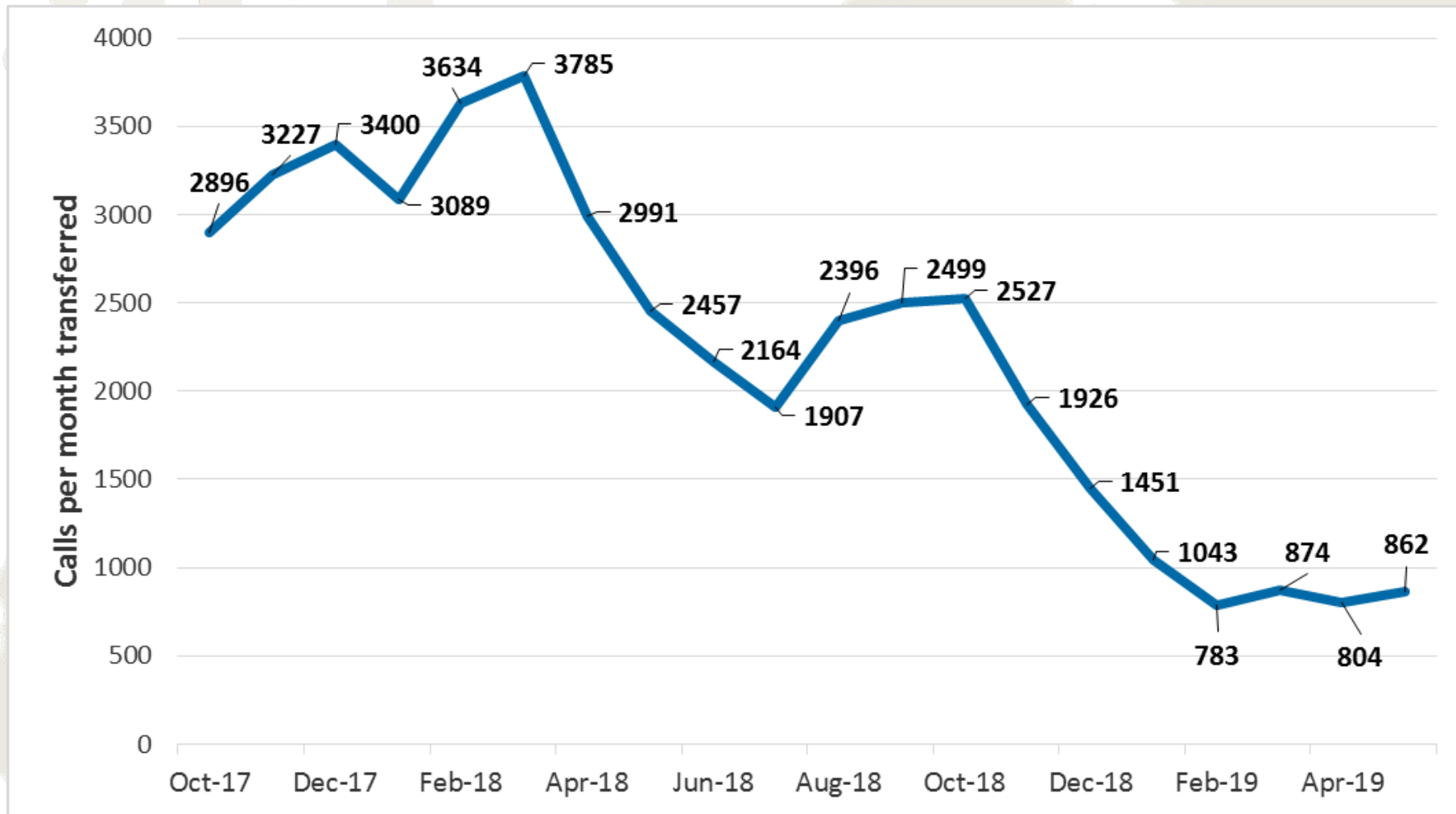
Complaints mechanisms

	2017-18	2016-17	2015-16	2014-15	2013-14
Number of Race Complaints	67	64	74	83**	79
% of Race Complaints made by ATSI	62%	64%	60%		
% of ATSI Race Complaints about work	43%	46%	60%		
% of ATSI Race Complaints about goods, services and facilities service delivery	46%	46%	36%		

** 14/13 statistics includes complaints regarding "Race/Failure to accommodate a special need"

Benefits already seen with AJU/AIS after-hours messaging service initiative

Police Regional Calls Transferred to JESCC (10/2017 – 5/2019)



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Media and Communication

“Just because we can’t read and write doesn’t mean we are dumb and can’t understand your message so that you present us as cartoon characters.”

“We don’t want you to use footballers from interstate or other people because they aren’t the people who we connect with when we are struggling – it’s our aunties, our grandparents and our mothers who are the ones who are there when we fall over – who we can call and they can help us when we are down.”



Thank-you for listening

You can contact us for further information by email
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