



**NATSILS**

**NATIONAL ABORIGINAL & TORRES  
STRAIT ISLANDER LEGAL SERVICES**

**MEDIA RELEASE**

23 May 2016

**Proposed youth bail reform in the NT will condemn our children to a life of institutionalisation**

These proposed bail laws, coupled with the other inequities and challenges already within the system, will condemn our children to a life of institutionalisation and cause further harm to our kids at a time when the rate of suicide and self-harm amongst Aboriginal and Torres Strait Islander children has reached crisis levels, says the National Aboriginal and Torres Strait Islander Legal Services (NATSILS).

The Chief Minister and Minister for Police, Adam Giles intends to introduce a Bill this week to create a presumption in favour of holding children in prison while they await trial if they have been found guilty of property offences in the past. If they do manage to get bail, these children would then be forced to wear an electronic monitoring device.

'The juvenile justice system was set up under the premise that our children are not as mature and cannot be held to the same standards as adults, yet Mr Giles plans to make pre-trial jail of children the norm for certain offences', said NATSILS Chairperson, Mr Wayne Muir.

Aboriginal and Torres Strait Islander children are grossly overrepresented in the Northern Territory's juvenile justice system. According to recent statistics, 96 per cent of the juveniles in custody in the Northern Territory are Aboriginal and Torres Strait Islander children. The Territory's rate of young people in custody is 5 times that of the national rate with almost three quarters of those in detention on remand after bail has been refused.

'Children must be held responsible for their behaviour but should we do this before any determination of guilt? Children are still developing. They will make mistakes. To apply punitive measures repeatedly before children have developed the emotional intelligence to understand how the punishment is intended to rectify the behaviour is a pointless exercise and a waste of tax payer's money', said Mr Muir.

'In the NT, youth detention costs \$350,000 per year or \$87,500 for three months per young person', said the Law Society Northern Territory President Mr Tass Liver.

'The Northern Australian Aboriginal Justice Agency (NAAJA) has funding for just one Indigenous Youth Justice Worker who works with Aboriginal young people to address the issues that have brought them into contact with the criminal justice system. Similarly, the Central Australian Aboriginal Legal Aid Service (CAALAS) has funding for just one Youth Justice Worker to cover all of Central Australia. How many youth justice workers could we employ for \$350,000 per year?', said Mr Muir.

'Earlier this year NT Government stated that they are going to cut Indigenous incarceration by an extraordinary 50 per cent by 2030 and now Mr Giles claims he will introduce reforms to bail laws which are totally counterproductive and only play on people's fears'.

It's easy in the lead up to elections to talk-up 'tough justice', it's harder for the Government to acknowledge that they have the ability to help our children in the NT at a time when they need it most. This approach has been happening for years in the NT and all it has achieved is a higher crime rate'.

The Federal budget did not announce any new funding for NAAJA nor the CAALAS, the two Aboriginal and Torres Strait Islander Legal Services providing crucial legal support to children in the Northern Territory. Both CAALAS and NAAJA are facing significant funding cuts over the forward estimates.

Further, CAALAS has been given no funding security post-December 2016 placing the future of legal assistance to Aboriginal and Torres Strait Islander people in the Northern Territory in a state of crisis.

NATSILS has called on the Territory and Federal Governments to develop and fund justice reinvestment initiatives that can allow community led solutions to dramatically turn around justice outcomes in Aboriginal and Torres Strait Islander communities and at a fraction of the cost.

**Media Contact:** Karly Warner on [kwarn@vals.org.au](mailto:kwarn@vals.org.au) or by phone 0423 610 587.