

14 October 2016

Media Release

Senate Inquiry Report calls on the Commonwealth Government to adequately support Legal Assistance Services

The Senate Finance and Public Administration References Committee (Senate Committee) handed down its long anticipated Report into Aboriginal and Torres Strait Islander experience of law enforcement and justice services, and found that the current breadth and depth of unmet legal needs for Aboriginal and Torres Strait Islander people is completely unsatisfactory.

NATSILS' submission is quoted in the Report:

There is a significant lack of awareness and understanding amongst Aboriginal and Torres Strait Islander communities in relation to their legal rights and the avenues that are available to realise them. This means that there is not only a high level of unmet need but also a high level of unidentified need.

The Senate Committee outlined evidence that, in large areas of Australia, Aboriginal and Torres Strait Islander people have no access to any legal assistance for civil and family law matters, as well as criminal law matters.

"Aboriginal and Torres Strait Islander young people are 24 times more likely to be in juvenile detention, and ten times more likely to be in out-of-home care than non-Aboriginal children", said Ms Cheryl Axleby, Co-Chair, National Aboriginal and Torres Strait Islander Legal Services (NATSILS).

"When civil law and family law queries are not addressed, we often see these matters spiral out of control resulting in downstream consequences on the criminal justice system and the lives of our people"

ABS statistics reveal that since 2004 there has been an 88% increase in the rate of Aboriginal and Torres Strait Islander imprisonment rates, while the non-Indigenous rate has risen by 28%.

"ATSILS have been at the forefront of developing and implementing diversionary and rehabilitative programmes, yet ongoing funding uncertainty and short term funding periods has hampered our ability to translate innovative programme concepts into long-term benefits for our community"

In addition, the Senate Inquiry recommendations articulated the importance of adequately funded community legal education, outreach workers and interpreters for Aboriginal and Torres Strait Islander people in both civil and criminal matters. Other Senate Inquiry recommendations are also strongly supported by NATSILS, and explore expanding justice reinvestment projects, a review of state mandatory sentencing laws and the importance of data gathering.

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