



**NATSILS**

National Aboriginal and  
Torres Strait Islander Legal Services

TRUE JUSTICE FOR OUR PEOPLE

## **MEDIA RELEASE**

### **Entirely untrue: federal government's response to open letter ignores legal advice**

**8 April 2026**

The government's response to an open letter from hundreds of organisations released today is entirely untrue and ignores legal advice obtained and shared with the Prime Minister last year.

A federal government spokesperson responded to the open letter urging the Prime Minister to act on youth justice, saying "only states and territories" can set justice policies. Acting Chair of NATSILS, Nerita Waight, says this is untrue and an attempt to shirk responsibility.

"The federal government has Constitutional authority to override state and territory justice systems to enforce international human rights obligations. This advice from Senior Counsel was shared with the Prime Minister last year.

"Not only does Prime Minister Albanese have the power to act, but he also has the moral obligation. Our children are languishing behind bars because of political point-scoring, and the Prime Minister is trying to pass the buck," said Nerita Waight.

"Hundreds of organisations are today urging the Prime Minister to call an emergency summit on youth justice to address this growing crisis. Is the Prime Minister really saying he will do nothing?"

"Prime Minister, you promised to support reconciliation with First Nations people. How can we take you seriously when you are turning your backs on the mass incarceration of Aboriginal children?"

"You have the power to act and you have the moral obligation; you must call the emergency summit," Ms Waight said.

Read the open letter here: <https://www.natsils.org.au/open-letter-pm/>

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