



NATSILS

National Aboriginal and
Torres Strait Islander Legal Services

TRUE JUSTICE FOR OUR PEOPLE

MEDIA RELEASE

Federal Budget fails to ensure access to justice for Aboriginal and Torres Strait Islander people

13 May 2026

The National Aboriginal and Torres Strait Islander Legal Services (NATSILS) says the Federal Budget has ignored Aboriginal and Torres Strait Islander people, with no new investment in Aboriginal and Torres Strait Islander Legal Services (ATSILS).

Nerita Waight, Chair of NATSILS, says Aboriginal and Torres Strait Islander Legal Services are being forced to turn people away because they continue to be chronically underfunded.

“Aboriginal women and children are the fastest growing prison populations in Australia. And yet the disparity between funding for mainstream legal services and Aboriginal and Torres Strait Islander legal services in this Budget is breathtaking but unsurprising as this is the case every year.

“Aboriginal people are being failed at every step; our government is failing to provide the services and supports they need to prevent them from entering the so-called justice system in the first place. They have failed to act to put an end to punitive policies that are driving the mass incarceration of our people. And in this Budget, they again have failed to effectively fund ATSILS that are critical for culturally safe legal representation.”

An Independent Review of the National Legal Assistance Partnership (NLAP) authored by Dr Warren Mundy confirmed that ATSILS are chronically underfunded, subject to unsafe workloads, and unable to meet demand and pay parity for their staff.

“This Budget has yet again chosen to not enact Dr Mundy’s recommendations. At the commencement of the National Access to Justice Partnership we just saw a rebranding of our prior funding as new investment. Since then, despite continuous calls, there has been no increase in investment, yet the numbers of Aboriginal people incarcerated across this nation continue to increase.

“Failing to properly fund ATSILS directly undermines national commitments to Closing the Gap. This results in inequality for our people in terms of access to justice but also inequality for the sector because yet again we cannot offer pay parity with mainstream legal aid.

“Our children are over-represented in the detention system and out-of-home care system; our adults are over-represented in the adult prison system. When this government chooses not to fund ATSILS properly, they are actively walking away from its commitments under Closing the Gap.

“This Budget tells us that this government is not serious about Aboriginal and Torres Strait Islander communities.

“The government’s lack of leadership led to the failure of the Voice to Parliament, and now it seems they have decided that we should have no voice at all. Not in police stations and prison cells where we’re being harassed, discriminated against, and having our basic human rights denied; not in courtrooms as we combat systemic racism and bias; and certainly not for our children and young people who continue to pay for governments’ failure to provide services and supports.

“Only last week the United Nations called out the Australian government on racially discriminatory practices that reflect ‘systemic and structural racial discrimination against Aboriginal and Torres Strait Islander communities.’

“The annual cost of incarcerating an adult exceeds \$150,000, and it costs more than \$1.2 million to keep a child in detention. Those funds are much better spent in preventing people from coming into contact with the criminal legal system in the first place, which will deliver long-term savings and safer communities in the long-run.

“If the Prime Minister is looking for investments that make a meaningful difference in the lives of Aboriginal and Torres Strait Islander people, funding culturally safe, self-determined legal services will make communities safer today and in the generations to come,” says Ms Waight.

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