



NATSILS

National Aboriginal and
Torres Strait Islander Legal Services

TRUE JUSTICE FOR OUR PEOPLE

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MEDIA RELEASE

“We must see change in our lifetimes”: Historic Closing the Gap Agreement is missed opportunity for ambitious national justice targets

The National Aboriginal and Torres Strait Islander Legal Services (NATSILS) welcomes the new Closing the Gap Agreement announced today, however is disappointed that Commonwealth, State and Territory Governments have not increased the ambition of national justice targets in the agreement. This comes with the distressing news overnight of the third Aboriginal death in custody in Western Australia in two months.

NATSILS has continually expressed to Governments the need for ambitious national justice targets of at least a 23% (adults) and 28% (youth) year-on-year reduction in order to reach parity on incarceration rates within 10 years. NATSILS has for many years called for strong, ambitious national targets on justice, family violence, child protection, disability and housing to be added to the Closing the Gap framework.

“NATSILS has made clear that a 15% reduction is not an acceptable adult justice target: we must see change in our lifetimes. We agree with Minister Wyatt who expressed weeks ago that a 2093 parity date will hinder progress. Governments could have increased the ambition of adult justice targets but chose not to, against the advice of NATSILS and the Coalition of Peaks. If we are equal partners in this Agreement, why is our expert advice being ignored by governments when they know our lives are on the line?” said Cheryl Axleby, Co-Chair of NATSILS.

National justice targets are critically important to the Closing the Gap agreement. NATSILS stands with communities who have demanded stronger, more ambitious targets to be set by governments to end our over-incarceration urgently, rather than the target adopted by governments: 15% reduction for adults with a projected parity date of 2093.

“We are deeply distressed that there has been a third Aboriginal death in custody in two months. If the past 30 years are anything to go by, we are looking at the potential of 1100 more black deaths in custody by the Governments' 2093 parity date. This is unacceptable and shows governments' complete disregard for the lives of Aboriginal and Torres Strait Islander people.”

The National Agreement does not include everything that the Coalition of Peaks wanted, nor everything that Aboriginal and Torres Strait Islander people have said is needed to improve their lives. But governments have been pushed governments in their commitments to our people on Closing the Gap because the Coalition of Peaks have been at the negotiating table.

“The Closing the Gap Agreement has been a missed opportunity by governments to commit to ending the over-incarceration of adults and children within 10 years. Aboriginal and Torres Strait Islander



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people, especially children, need to be with their community, not in prison. This is a matter of political will; if Australian Governments had decided on Monday to raise the age of criminal responsibility to at least 14 years, this would have immediately reduced the over-incarceration of our children,” said Ms Axleby.

“This is also a missed opportunity for disability targets to be included, and we believe that the family violence targets should have been stronger.”

The new National Agreement is a commitment from all governments to fundamentally change the way they work with Aboriginal and Torres Strait Islander communities and organisations through four Priority Reforms, supported by the community engagements. NATSILS welcomes the addition of youth and adult incarceration to the “joined up policy approaches” in the Agreement, which require the Commonwealth, states and territories to nationally coordinate policy reforms to end our over-incarceration.

“We remain hopeful that the systemic and structural changes in the joined up policy approaches and Priority Reform Areas in the new Closing the Gap Agreement will lead to real and long lasting change for our people. Nationally coordinated justice policy reforms across Australian governments are urgently needed to reduce over-incarceration,” said Nerita Waight, Co-Chair of NATSILS.

“Our position throughout the Closing the Gap refresh has been that governments can end the over-incarceration of Aboriginal and Torres Strait Islander adults and children within 10 years if they choose to. The solutions from countless inquiries and Royal Commissions are clear - now we need strong political commitments with sufficient public funding to match.”

“The disappointing lack of ambition on justice targets comes just days after all Australian Attorneys General chose not to increase the age of criminal responsibility to at least 14 years in contravention of expert medical, legal advice and community demands. Raising the age alone would have immediately reduced the over-incarceration of our children, by at least 17% - now a whole generation is at risk,” said Ms Waight.

The work of the Coalition of Peaks is part of a much bigger picture, of what has come before us and what still needs to be done. As Aboriginal and Torres Strait Islander people, we stand on the shoulders of giants; our ancestors. The negotiations on the National Agreement with governments were hard fought. For the Coalition of Peaks, the National Agreement is not just words. They represent actions that can make a real difference to the lives of our people, our families and communities.

END OF RELEASE

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To read the full new National Agreement on Closing the Gap, head to the Coalition of Peaks website (live at 12pm): <http://coalitionofpeaks.org.au/final-national-agreement-on-closing-the-gap/>