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MEDIA RELEASE

Abandoning standalone Commonwealth Indigenous Legal Assistance Program after 50 year long commitment threatens self-determination and cultural safety

The National Peak Body for the Aboriginal and Torres Strait Islander Legal Services (**NATSILS**) welcomes the overturning of the planned and ongoing cuts to the Aboriginal and Torres Strait Islander Legal Services (**ATSILS**), introduced in a 2013 ongoing savings measure.

However, Attorney-General Christian Porter is also walking away from the Commonwealth's 50-year long commitment to ATSILS by disbanding the Indigenous Legal Assistance Program (**ILAP**), days after the Government's [Independent Review into the Indigenous Legal Assistance Program](#) recommended retaining a standalone specific program.

NATSILS has categorically rejected the move, which will reduce ATSILS' community-control over the strategic direction, priorities and cultural safety of their legal services.

"We urge the Attorney-General to retain the Indigenous Legal Assistance Program. Self-determination and community-control is the only way that our legal services can be culturally safe and effective. We go above and beyond for our communities to get true justice" said Cheryl Axleby, Co-Chair, NATSILS.

This decision comes only weeks after the Prime Minister agreed to a historic partnership with Aboriginal and Torres Strait Islander people on Closing the Gap and despite an independent review which lauds the ILAP's effectiveness.

"We urge the Attorney-General to honour the Government's promise to [treat us as equal partners on Closing the Gap](#), which means supporting a specific standalone program. Aboriginal and Torres Strait Islander people are the most incarcerated peoples in the world – it is vital that we have a specific Commonwealth program addressing the disadvantage experienced by Aboriginal and Torres Strait Islander communities in the justice system."

There are many benefits to retaining ILAP:

- The distinct aim of ILAP is to **focus on the disadvantage experienced by Aboriginal and Torres Strait Islander people** in the justice system and ensuring their access to culturally safe legal services is necessary and appropriate.
- A separate ILAP is important to maintain ATSILS unique, culturally safe and community-controlled approach to legal services, and for the **self-determination** of Aboriginal and Torres Strait Islander people. This includes the flexibility provided through ILAP for ATSILS to directly determine service priorities and locations based on local knowledge and needs.

- ILAP provides us with **greater funding certainty**, the budget allowing us to see the ILAP funding into the forward projections. By contrast the national mechanism does not provide funding certainty beyond the end of the agreement.

“ATSILS represent families at death in custody inquests, we run custody notification services, we confront racist and discriminatory laws and we challenge police brutality. We develop innovative programs to ensure contact doesn’t happen in the first place. In some remote places, we are the only legal service at all, because we are committed to our communities and working in partnership to benefit our communities.”

“Without ILAP, ATSILS will not have funding certainty and will not be able to ensure culturally safe services are delivered to Aboriginal and Torres Strait Islander people. A separate ILAP with funding coming direct to ATSILS is the only way to guarantee a culturally safe, community-controlled service for Aboriginal and Torres Strait Islander people”, concluded Ms Axleby.

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