

Aboriginal Peak Organisations Northern Territory

An alliance of the CLC, NLC, CAALAS, NAAJA and AMSANT

Ms Sabina Wynn
Executive Director
Australian Law Reform Commission
Via email: Sabina.wynn@alrc.gov.au

Monday 30 October 2017

Dear Sabina,

RE: APO NT's Submission to the Australian Law Reform Commission's Inquiry into the incarceration rates on Aboriginal and Torres Strait Islander peoples

The Aboriginal Peak Organisations of the Northern Territory (APO NT) write to you in response to the Discussion Paper issued on 19 July 2017 and to provide a submission to the Australian Law Reform Commission's Inquiry into the incarceration rates of Aboriginal and Torres Strait Islander peoples. While this submission has been provided later than expected, we would appreciate if the Commission would consider our recommendations.

APO NT is an alliance comprising the Central Land Council, the Northern Land Council, the North Australian Aboriginal Justice Agency and the Central Australian Aboriginal Legal Aid Service and the Aboriginal Medical Services Alliance of the Northern Territory. Since establishment in 2010, APO NT has been working to develop constructive policies on critical issues facing Aboriginal people in the Northern Territory and to influence the work of the Australian and Northern Territory Governments.

The APO NT alliance has been long concerned about the increasing incarceration rates of Aboriginal and Torres Strait Islander peoples. We have also been alarmed at particular government policies, which have not been evidence-based. APO NT has provided a number of submissions, letters and media releases on a number of key law and justice issues, since establishment and we have been dismayed that our recommendations have mostly been ignored.

APO NT recently provided a comprehensive submission to the Royal Commission into the Protection and Detention of Children in the Northern Territory, which summarises our concerns with youth justice and child protection. This submission was prepared with input from APO NT's member organisations and several external peak organisations including Danila Dilba Aboriginal Health Service, Secretariat of National Aboriginal and Islander Child Care (SNAICC), the National Aboriginal and Torres Strait Islander Legal Services (NATSILS), First Peoples Disability Network (FPDN) and the Human Rights Law Centre (HRLC).

APO NT provided 154 recommendations to the Royal Commission, which can be found on pages 13-37. In summary, APO NT ultimately called for an overall paradigm shift in our approach to children, in order to ensure children can thrive into adulthood. APO NT's submission also:

- detailed the importance of Aboriginal community control and empowerment and trauma informed healing approaches;

- discussed racial discrimination in broad terms and in the context of youth justice in the Northern Territory;
- examined early intervention and pathways for at risk children, with a particular focus on addressing the social and cultural determinants of health;
- outlined the systemic failings in the youth justice systems and made recommendations for the significant reform of current approaches to law and justice to create more therapeutic systems;
- addressed the role of the Australian Government in reducing the over-representation of Aboriginal and Torres Strait Islander children in the youth justice system, through measures such as inserting justice targets into the Closing the Gap Strategy, ensuring adequate and secure funding to Aboriginal and Torres Strait Islander Legal Services and Family Violence Prevention Legal Services, and implementing the Optional Protocol to the Convention Against Torture (OPCAT) into domestic law and establish National Preventative Mechanisms; and
- addressed the systemic failings in the care and protection systems in the Northern Territory, which APO NT acknowledges is a pathway into youth detention.

APO NT recommends that the Australian Law Reform Commission read our Royal Commission submission in its entirety, which is attached. Please contact the APO NT Coordinator, Brionee Noonan on (08) 8944 6672 or via email: Brionee.noonan@amsant.org.au should you wish to discuss this submission further.

Yours sincerely,



John Paterson
CEO
AMSANT

On behalf of the Aboriginal Peak Organisations NT

David Ross Director CLC	Joe Morrison CEO NLC	John Paterson CEO AMSANT	Leeanne Caton Acting CEO CAALAS	Priscilla Collins CEO NAAJA
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