

Monday, 31 May 2021

Not just words, time for action

All comments to be attributed to Law Council President, Dr Jacoba Brasch QC.

“In keeping with the theme of this year’s National Reconciliation week, *More than a Word. Reconciliation takes Action*, the Law Council of Australia is calling on all governments to take more action in legal and policy reform to ensure that the new targets set out in the National Agreement on Closing the Gap, do not remain aspirational.

While the Law Council was pleased that the government reassessed the justice targets in 2020, the current target of reducing adult incarceration by at least 15 per cent by 2031 is still too low, with parity not reached until 2093.

Meanwhile there are suite of reforms exists that, if enacted, would contribute to the target of reducing indigenous incarceration rates. These reforms include implementing the recommendations of countless reports and consultations, including the Royal Commission into Aboriginal Deaths in Custody and Australian Law Reform Commission’s Pathways to Justice, raising the minimum age of criminal responsibility to 14 years, and bail and sentencing reform.

Better justice outcomes are inextricably linked to action on social issues such as housing, mental health and disability, education, out-of-home care, and domestic and family violence prevention. In these areas, the funding and implementation of culturally appropriate services provided through Indigenous-led organisations is crucial.

The Law Council recognises and welcomes the significant measures included in the federal budget that provide additional funding for Family Violence Prevention Legal Services and dedicated funding for First Nations women who have experienced family violence, as well as significant Indigenous-specific suicide and mental health measures.

The Commonwealth, States and Territories all have shared responsibilities to work together to achieve the justice targets for adults and young people.

There is a need for all governments to work together to ensure that measures in some jurisdictions, such as the recent youth justice legislation recently passed in the Northern Territory which will cause serious adverse consequences, does not undermine the overall progress made under Closing the Gap targets.”

ENDS

Contact: Dr Fiona Wade, P. 0403 810 865 E. Fiona.Wade@lawcouncil.asn.au

The Law Council of Australia is the national voice of the legal profession, promoting justice and the rule of law.