

Open Letter: Call for Federal Government response to ALRC's Pathways to Justice report

Dear Prime Minister and Minister Scullion

As community organisations working in the justice sector, we call on the Federal Government to provide its formal response to the recommendations contained in the Australian Law Reform Commission's *Pathways to Justice* report as a matter of urgency.

The ALRC report was tabled in Federal Parliament on 28 March 2018. At the time, the Minister for Social Services, Dan Tehan, said that "The Government will consider the report's relevant recommendations and respond in due course."

It has now been nearly six months since the ALRC report was tabled in Parliament, and nine months since it was provided to the Federal Government. To date, the Federal Government has made no formal response.

In the last six months since the report was tabled, more than 5,000 Aboriginal and Torres Strait Islander men, women and children have been in prisons around the country,¹ impacting not only those individuals but their families and communities as well. The Australian Institute of Criminology has since reported that the number of deaths of Aboriginal and Torres Strait Islander people in custody has increased to the highest it has been since 1979-80.

Unfair justice systems are failing to build the safer, stronger communities all Australians want.

The *Pathways to Justice* report provides a clear direction towards fairer justice systems around the country. There are a number of specific recommendations for concrete actions that the Federal Government can take to reduce the over-representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system. These include:

- the establishment of a national justice reinvestment body and supporting justice reinvestment trials around the country; and
- developing national criminal justice targets.

As leading Aboriginal and Torres Strait Islander, human rights and community organisations working on the ground to achieve safer and stronger communities, we call on the Federal Government to confirm its support for these recommendations as soon as possible.

Over a generation ago, the Royal Commission into Aboriginal Deaths in Custody provided a blueprint for reducing the number of Aboriginal and Torres Strait Islander people coming into contact with the criminal justice system. Yet, the vast majority of these recommendations have never been implemented. We cannot let another generation of Aboriginal and Torres Strait Islander people lose their futures, their dignity, and, for some, their lives, because of inaction by Australian governments.

The *Pathways to Justice* report recommendations must be actioned as a national priority.

Please contact Joanna Lunzer by email at jo@justreinvest.org.au to respond to this letter.

¹ Figure extrapolated from Australian Bureau of Statistics data that there were 10,596 Aboriginal and Torres Strait Islander people in the national prison population in 2016.

This open letter is endorsed by the following organisations and individuals:

Professor Tom Calma, Human Rights and Social Justice Advocate
Aboriginal Education Council (NSW)
Aboriginal Legal Service (NSW/ACT)
Amnesty International Australia
ANTaR
Australian Council of Social Service
Australian Justice Reinvestment Project, UNSW Sydney
Australian Youth Affairs Coalition
Centre for Law and Justice, Charles Sturt University
Change the Record
Community Legal Centres NSW
Human Rights Law Centre
Indigenous Justice and Exoneration Project, supported by Deakin Law Clinic
Jesuit Social Services
Julie Stubbs & Luke McNamara, Co-Directors, Centre for Crime, Law and Justice, UNSW Sydney
Just Reinvest NSW
Justice Reinvestment SA
Katherine Youth Justice Reinvestment Group, NT
Kinchela Boys Home Aboriginal Corporation
Kingsford Legal Centre
Law Council of Australia
Liberty Victoria
National Aboriginal and Torres Strait Islander Legal Services
National Association of Community Legal Centres
National Family Violence Prevention Legal Services
Network of Alcohol and other Drugs Agencies
Northern Territory Council of Social Service
Oxfam Australia
Professor Chris Cunneen
Public Interest Advocacy Centre
Mr Robert Tickner
Save the Children
Show Me The Way
SNAICC – National Voice for our Children
TEAR Australia
UNICEF Australia
Weave Youth and Community Services
Youth Action