
INDIGENOUS ACCESS TO JUSTICE UNDERMINED BY SA GOVERNMENT INACTION

Tuesday, 2 February 2010

A peak Australian non-profit legal body, the Australian Lawyers Alliance, is calling on the South Australian Government to urgently act to ensure access to justice for Indigenous people living in remote areas of South Australia.

“Some of Australia’s most disadvantaged continue to be treated as second-class citizens by this government. It is a government that is failing to recognise, and address, the need for Indigenous people to fully understand what is happening to them in the court process. This can only be done through the use of interpreters using their mother tongue,” Alliance South Australian president, Tony Kerin, said.

“Failure to pay to ensure the availability of reliable interpreters is unacceptable. Access to justice is the founding-stone of any democracy,” he said.

“We continue to hear rhetoric from governments about closing the gap between Indigenous and non-Indigenous people yet, at the grass-roots level, amongst a population that is proportionately over-represented in the criminal justice system, too little is being done to correct such imbalances.

According to the Productivity Commission Report on Government Services 2008-09, released last Friday, South Australia has the second highest Indigenous imprisonment rate in the country at just under 2000 per 100,000 adults and is only exceeded by Western Australia,” he said.

The Australian Lawyers Alliance is a non-profit legal organisation, set up in 1994 to help ordinary people obtain better access to their rights.

“We believe it is imperative that the SA Government act immediately to correct this disparity. Otherwise it risks the perpetration of injustices like that of Rupert Stuart, sentenced to death in 1959, based on his ‘confession’. That confession was written in upper-class English, despite Mr Stuart only speaking native Arrernte and some pidgin,” Mr Kerin said.

He said that, more than 50 years later, Indigenous people were still being denied the right to a fair trial, were incarcerated for longer and their cases continued to clog the court system, often because of poor communication.

“It is just not good enough to say there are insufficient resources. The right to a fair trial for all Australians must be guaranteed. Without such action, we cannot consider ourselves a true democracy,” Mr Kerin said.

For details, contact: Australian Lawyers Alliance public affairs manager, Mandy Wyer, 0418 270 656 or South Australian President, Anthony Kerin, 0417 809 579.