



ARDS

Aboriginal Resource and Development Services Inc.

Justice Out of Reach

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This week is Law week in the Northern Territory, a time when we are thinking about the role the Legal System plays in bringing justice to all Territorians. A new report released this week by Aboriginal Resource and Development Services (ARDS) called, "An Absence of Mutual Respect" has some telling facts in it.

Richard Trudgen the CEO of ARDS says, "The report was based on many hours of dialogue with Yolngu (Aboriginal people) from north-east Arnhem Land and shows that it's much harder for Yolngu to get "justice" than it is for other Territorians.

The Justice System operates on the basis that everyone comprehends what is happening when they are involved in the court process. The report highlights a massive communication gulf between Aboriginal people who do not speak English as a first language, and the Justice System. "Most of the language used inside a courtroom like bail, consent, remand, charge, alleged and accused leave the people confused, not sure of how they should respond, or even if they should respond," said Trudgen.

The UN International Covenant on Civil and Political Rights, Article 14.3.a, says "every person is entitled to the minimum guarantee of being informed promptly and **in detail in a language which he understands** of the nature and of the cause of the charge against him."

This research found that many Aboriginal people from Arnhem Land had little comprehension of what was happening in the legal system. This still leads to many outcomes that are unjust and can also be a factor in some people getting into further trouble. Many elders also believe it is one of the main reasons for increased crime on Aboriginal communities.

The research was funded by the Commonwealth Department of the Attorney General through the National Community Crime Prevention Programme.

You can download a copy of "An Absence of Mutual Respect" Report by visiting our website www.ards.com.au/media/media28.htm

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