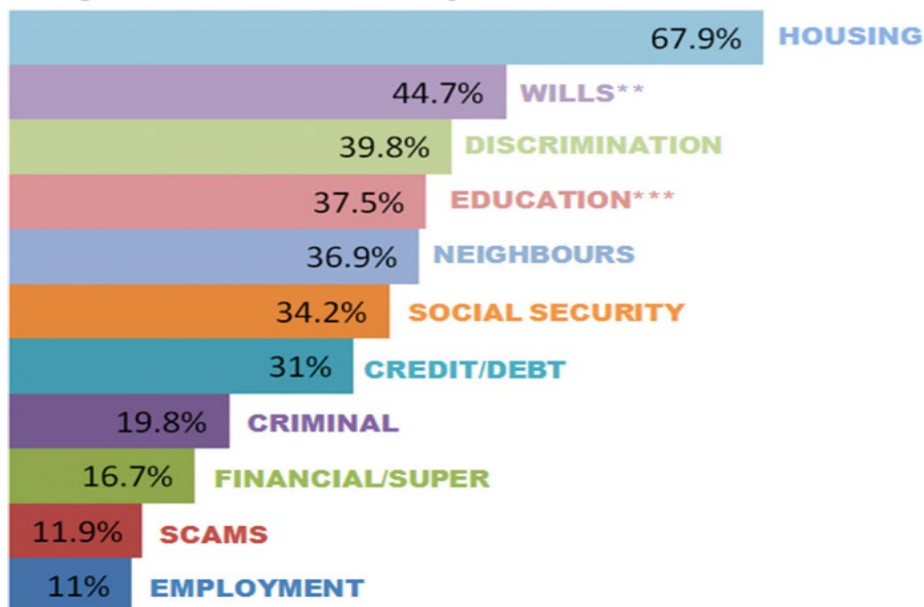


Summary Report

In 2003, the *Justice Too Far Away Report*, (Renouf) found that people in the Barkly did not have the legal help they needed. This new report *Access to Justice in the Barkly (2019)* sums up past research and shows what is happening now, 16 years later. The people who wrote this report listened to people from Tennant Creek, Elliott, Ali Curung, Ampilatwatja, Arlparra, Canteen Creek, Epenarra and Alpururulam. They tell us what justice looks like now and what can help people protect their rights to justice in the Region. It says we must change how services are set up and do more good community legal education, improve how legal services help people, and make stronger partnerships between law and health and other services.

Major Issues* for Participants



This Access to Justice in the Barkly report sums up past research, shows what's happening now and how to help more people get better access to justice.

We listened to people and services in:

Tennant Creek
Elliott
Ali Curung
Ampilatwatja
Arlparra
Canteen Creek
Epenarra
Alpururulam.

We recommend:

→ Making services better for communities

→ More community education about law & rights

What is access to Justice?

Access to justice means the way that the community can prevent or get help with legal problems and be treated fairly, equally and properly in line with universal human rights. There are 4 parts that work together to make access to justice:

- ➔ Communities and people know their rights and duties, how to prevent and solve problems early and how to grow a strong, safe and positive life.
- ➔ Legal services help people in ways that work
- ➔ Legal and other services and community groups work well together in partnership to do their duty for the community.
- ➔ Laws and Government policies are run well and if not they get changed to be better.

Who we talked to and what they said?

We talked to 84 people – all Aboriginal people who live in Barkly communities.

- 67.9% of all people have legal problems about tenancy. (The biggest problem)
- 44.2% men in the Barkly have not been treated fairly / equally at least once (discrimination) (This is the second biggest problem for men).
- 41.5% of women have credit/debt (money) problems (This is the second biggest problem for women).

Unemployment in the Barkly is three and half times higher than the NT average. Personal income is less than half of the NT as a whole. Since the last report (*Renouf, 2003 Justice Too Far Away*) there has been little improvement in Tennant Creek. Things like unemployment and not having much income are more noticeable in many of the remote communities in the Barkly.

What can legal services do?

There are more than 6,500 people in the Barkly region. There are not many lawyers in Tennant Creek and less who go to remote communities. The legal services in the Barkly are

- Northern Territory Legal Aid (NTLAC),
- Northern Australian Aboriginal Justice Agency (NAAJA),
- Central Australian Aboriginal Family Legal Unit (CAAFLU) and
- Central Australian Women’s Legal Service (CAWLS).

Other services in the Barkly that can help people learn about the law and get help are Catholic Care, Relationships Australia, Saltbush and Barkly Regional Alcohol & Drug Abuse Advisory Group (BRADAAG).

Health Justice Partnerships (HJPs) may help in the Barkly as they link people up with legal help and build people’s understanding of the law and their rights. Some Barkly clinics and health services are already helping improve justice outcomes by calling for change on issues like housing or addressing mental health or drug and alcohol misuse. These issues can contribute to people entering the criminal justice system and other negative justice outcomes.

* Identified by 10% or more of relevant participants.

** Note this % is of participants who had not completed a will (rather than % of all participants) and identified the need for assistance in completing a will.

*** Note this % is of the total number of participants who were responsible for a child in education (32) (rather than % of all participants) and identified an education related issue.

How laws and Government programs link to justice in the Barkly

These government programs can have a positive impact on justice if they listen to the ideas in this report.

<p>Aboriginal Justice Agreement (AJA) (2019)</p>	<p>This agreement focuses on criminal law, legal need and access to justice. Instead of prison, the idea is to have more community-based alternatives, engage and support Aboriginal leaders and improve justice responses. Strategies include: making community-based alternatives more available in remote locations, provide greater diversion for young people, increase successful bail grants and compliance, reform sentencing legislation, increase accessibility and uptake of complaints process and support Law and Justice Groups for Aboriginal leaders to address offending behaviours and promote positive cultural values.</p>
<p>Everyone Together 2019-2029</p>	<p>There are 10 focus areas, all of which can impact on legal need, service provision and access to justice. Truth and Healing is one focus area that seeks to support Aboriginal people to determine their own futures. This entails using a Local Decision-Making (LDM) Framework, which commits government to Aboriginal led community-based decision making.</p>
<p>Barkly Regional Deal (BRD)</p>	<p>The 10 year \$78.4 million BRD was launched by all three levels of government in 2019. 28 economic, social and cultural initiatives will be implemented across the Barkly region. These include building a youth justice facility in Tennant Creek, upgrading of the Tennant Creek watch-house and installation of video-conferencing in remote communities.</p>
<p>Local Authority Groups (LAG)</p>	<p>Local Authority Groups (LAG) represent local communities and towns in the Barkly region (present in 7 of this project’s focus communities (Canteen Creek is independent of the Barkly Regional Council). These groups alert Council to new and emerging issues in their respective communities and focus on local service delivery issues. The LAGs meet monthly, primarily to discuss local council issues.</p>

Recommendations: Better access to justice for Barkly people.

1. There should be more community education about legal rights and processes and this should be done regularly. Information shared with the community should use the good material already created and make more to fill gaps, using different formats like online, posters, films, radio and more.
2. All government agencies must make sure that community members get the basic information that they need to do their business with government and know their rights and responsibilities. Government agencies must tell people about and refer people to the right legal services to help them with their problems when needed.
3. Set up a job for one or more people at the court / legal offices who can help the community understand legal papers and how the legal system works.
4. Legal services must hire social workers who can help people with their problems and work well with other services in Tennant Creek.
5. Raise up the role of Aboriginal client service officers (CSOs) so they can help Aboriginal clients with legal and other problems and ensure cultural safety and connections.
6. Help community members learn about the role of interpreters and train lawyers so that they know why, how and when to use interpreters to help them communicate well with Aboriginal clients.
7. Make sure that all legal, government and community services know how to refer a client to another service properly, safely and professionally.
8. Make agreements, regular meetings and a shared calendar so all the legal services work well together. This means no gaps or double services, using their money wisely and planning together and with the community how to run services.
9. Work out how to share the people and money between agencies to put services where there are gaps, especially in remote communities.
10. Have agreements between government agencies and legal services so that they work better together and deliver good services to community.
11. Build up and set up more Health Justice Partnerships – legal and health services working together, including in remote communities. Use legal health checks to help health workers get people legal help early.

12. Set up at least one Aboriginal liaison officer (like a CSO) to help all the legal services work in culturally safe ways. They should be based in Tennant Creek and also travel to communities. Legal and other services must hire and train cultural brokers in remote communities to help community members know their rights and take action on their legal problems.
13. Use video-conferencing more in remote communities so people can get legal help without travelling. Make sure video conferencing is in a place that is private and safe to protect people.
14. Set up 'Justice partnerships' where legal and other services in remote communities work together to help people meet their legal needs. They might share a building and video call rooms, give information to the community, or in other ways.
15. The Barkly Regional Deal and other government programs should use information from legal services about legal needs and other issues that affect access to justice in their decision making.
16. Legal services must listen to and support the actions the community is leading and doing to prevent and solve legal problems like community based conflict workers (mediators), Night patrols run by the community, and training local people to help others.

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