



AUSTRALIAN MISSION TO THE UNITED NATIONS

E-mail UN.Geneva@dfat.gov.au

Chemin des Fins 2, Petit Saconnex, 1211 Geneva 19 Ph +41 22 799 9100 Fax +41 22 799 9175 www.geneva.mission.gov.au

Expert Mechanism on the Rights of Indigenous Peoples

EM13 australia 067

Agenda item 5: Study on access to justice in the promotion and protection of the rights of Indigenous peoples

July 2013

Australia welcomes the draft study by the Expert Mechanism into access to justice in the promotion and protection of the rights of Indigenous peoples. Australia is committed to improving access to justice and reducing the overrepresentation of Indigenous Australians in the justice system.

Australia recognises that access to justice is broader than an individual's ability to enforce their rights. It relates to how institutions of state - of which the formal justice system is but one part - operate to ensure that all citizens live under the protection of the law, and have the greatest chance to thrive. Justice should not be something that constantly has to be fought for in the courtroom.

One way in which Australia shows its commitment to removing barriers to access to justice is through its support of Aboriginal Interpreter Services (worth \$1.3 million in 2013-14).

We also remain deeply concerned by the continuing overrepresentation of Indigenous Australians as both victims and perpetrators of crime and the rate at which Indigenous Australians are incarcerated. Under the Australian federal system, States and Territories are responsible for administering the justice system. The Australian Government is committed to working with the State and Territory governments, Indigenous representatives, and non-government organisations to reduce the overrepresentation of Indigenous Australians in the justice system. This financial year, Australia is providing A\$73.8 million in funding towards Aboriginal and Torres Strait Islander Legal Services and another A\$19.6 million for Indigenous Family Violence Prevention Legal Services.

While Australia has developed a comprehensive, whole-of-government strategy to reduce Indigenous disadvantage, we recognise more remains to be done. The Australian Government is working with all jurisdictions to this end through the National Indigenous Reform Agenda, *Closing the Gap*. This agenda addresses Indigenous disadvantage under seven building blocks: Early Childhood; Safe Communities; Schooling; Economic Participation; Health; Governance and Leadership; and Healthy Homes.

Australia welcomes the recommendations of the Expert Mechanism's study as an important contribution to the discussion in this area.