



North Australian Aboriginal Justice Agency Ltd

MEDIA RELEASE

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Tragic death highlights poor policy

NAAJA today labelled the sad death of a 22 year old Indigenous male from a small Central Arnhem Land community a few weeks ago (as detailed in tonight's 7:30 Report), as an avoidable tragedy that appears to have been a direct result of poor and misguided policy.

"NAAJA has repeatedly warned about the consequences of the NT Emergency Response measures," Glen Dooley, Principal Legal Officer of NAAJA said.

"Specifically, we have not seen an increase in prosecutions of paedophiles – the whole reason given for the measures.

"Instead, NAAJA has witnessed increased prosecutions of young Aboriginal people in relationships where the age difference between the two people is not large and the younger person has consented to the relationship.

"Many of these relationships are also set in the background of Indigenous cultural practices relating to marriage, which have been maintained for thousands of years.

"Rather than dealing with these under-age sexual relationships as a complex social and medical problem, the Intervention has turned it solely into a criminal issue for Aboriginal Territorians.

"These cases are now seen as being the same as those involving pedophiles and sexual predators.

"Of major concern is the different manner in which Aboriginal and non-Aboriginal people in the Northern Territory are being treated due to the Intervention and its suspension of the *Racial Discrimination Act 1975*.

"The death of this young man, who escaped police custody after being arrested for breaching bail conditions related to charges over his relationship with his under-aged girlfriend, was exactly the type of unintended tragedy NAAJA has feared.

"The situation was compounded by the severity of the police reaction.



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“NAAJA understands the officers involved were newly arrived from the Australian Federal Police, had not been through appropriate training or handover with those previously stationed at the community, and subsequently exhibited a major lack of cultural understanding and sensitivity.

“Most importantly, they failed to liaise with the family or community elders before taking this young man into custody and then again before hunting for him when he fled. Had they done so, we believe this tragedy would have been averted.”

The young man’s family has asked NAAJA to assist in ensuring the wider community is made aware of what happened in order for it never to occur again.

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NB: For copies of NAAJA’s submission to the NTER Review Board contact:

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The joint CAALAS/NAAJA submission to the Senate Select Committee on Regional and Remote Indigenous Communities is available at:

www.aph.gov.au/SENATE/committee/indig_ctte/submissions/sub24.pdf