



## North Australian Aboriginal Justice Agency

### NAAJA International Fund

#### Summary

Ensuring a strong Aboriginal voice at an international level is critical to promote and protect the rights and interests of Aboriginal people in the Northern Territory, and hold the Australian Government to account for its compliance with its international human rights obligations.

NAAJA is committed to creating and promoting opportunities for its staff, especially Aboriginal staff members, to contribute to the work of United Nations treaty bodies and other human rights mechanisms.

NAAJA has also served an important role actively supporting pathways for Aboriginal people to study law. International experiences for students and in countries across the world rewards effort, builds incentives, enables learning in a different context and the development of relationships, and helps build resilience and a stronger sense of self and place when returning to studying and working in the legal sector which often involves high levels of trauma.

The **NAAJA International Fund** was established in 2019 for two purposes:

- (1) To provide NAAJA with resources as a non-government organisation to send attendees to United Nations activities where this complements domestic policy and law reform.
- (2) To enable university participants of the Bilata Legal Pathways Program to gain international experiences related to law and/or Indigenous issues.

NAAJA is unable to fund these activities from its current budget and is seeking donations for this purpose.<sup>1</sup>

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<sup>1</sup> The underfunding of Aboriginal legal aid services and community based legal assistance services is well known: see, for example, Law Council of Australia, *The Justice Project, Final Report Part I, Aboriginal and Torres Strait Islander People*, August 2018, 36; Productivity Commission, *Access to Justice Inquiry*, September 2014, 30. Given this, NAAJA makes efficiencies where possible including connecting the significant and valuable input of university law student interns who give their time and expertise to assisting with submissions. Funding agreements often also prohibit expenditure on international trips.

## **Donating to the Fund**

Donations to the NAAJA International Fund can be done by transfers to:

bsb 065901  
account 11228318  
name NORTH AUSTRALIAN ABORIGINAL JUSTICE AGENCY LTD

### **Purpose 1 – sending attendees to United Nation’s activities where this complements domestic policy and law reform**

NAAJA is often called upon by governments to provide input into a broad range of policy and law reform areas and many NAAJA staff contribute to committees across different organisations and sectors. NAAJA submissions draw upon the expertise of frontline legal and non-legal staff and Aboriginal input across the Northern Territory, and are endorsed by the cultural authority of an Aboriginal-led board. As an example of influence, NAAJA served a key role contributing to the Royal Commission into the Protection and Detention of Children in the Northern Territory, and contributes to the ongoing reform agenda. As a non-government organisation, NAAJA enables the voices of its Aboriginal staff to convey the key messages relevant to Aboriginal people on the ground and who are impacted by policies and laws.

NAAJA seeks to be involved as a non-government organisation in more United Nation activities at an international level by sending delegates including Aboriginal staff to reviews relevant to our law and policy reform work.

The objectives of this purpose are:

- To strengthen NAAJA’s influence and standing in relation to domestic policy and law reform by contributing directly to reviews of Australia’s compliance with human rights treaties. This will enable NAAJA to hold the Australian Government (and Northern Territory Government) to account for its performance on human rights at an international level.
- To develop a body of corporate knowledge relevant to certain policy areas so that, when Australia is periodically reviewed by human rights treaty bodies, the voices provided by NAAJA can be considered in a strategic way over the medium and long-term to help drive systemic change.
- To enable the voices of Aboriginal people on the ground who are impacted by policies and laws, with a particular focus of Aboriginal people across the regions of the Northern Territory, to be conveyed directly at the international level and as part of the reviews of Australia.

- To provide staff, particularly Aboriginal people, who are associated with NAAJA with an opportunity to contribute meaningfully at an international level to policy and law reform so that they can gain new experiences, develop relationships, serve as role models for their family, and build on NAAJA's practice seeking to be trauma-informed (see below).

The governance arrangements for this purpose will be a committee comprising John Rawnsley, Kristy Bloomfield and Clare Parsons to make recommendations to the CEO for persons identified for future international opportunities. John, Kristy and Clare are able to draw upon their own experiences at the United Nations in Geneva for this work.

**Purpose 2 – Enabling university participants of the Bilata Legal Pathways Program to gain international experiences related to law and/or Indigenous issues**

The Bilata Legal Pathways Program aims to increase the numbers of Aboriginal and Torres Strait Islander people within the legal profession (see [www.bilata.org.au](http://www.bilata.org.au)). There are three sets of participant categories including high school / college students, university law students and other adults interested in studying law. The program connects Aboriginal lawyers and law students with high school / college students across the Northern Territory, facilitates activities and program days for participants, hosts events such as the annual Cudgarees and Canapes event, provides mentoring for university law students and serves an important role supporting the Charles Darwin University's Indigenous Pre-Law program. Whilst the program draws on a partnership approach with leaders and organisations across the legal system, NAAJA has served a key role developing and coordinating the program.

The objectives of this purpose are:

- To support Bilata university participants who are from, or have grown up in the Northern Territory, to gain international experiences in the context where they also return home to share their learnings and contribute to their place and community. This objective is important because many of our young mob have opportunities in capital cities interstate, but there are few options that encourage them to consider contributing in the Northern Territory.
- To enable Bilata university participants the opportunity to gain experiences in another place and context where Indigenous issues are relevant and to share, connect, learn, engage, network and inspire.
- To serve as a reward and incentive for Bilata university participants to do well in their studies, and to provide opportunities for their family to be proud and to serve as role models for the younger generations.
- To recognise Bilata university students are leaders amongst their family and communities and that their future work in law will be a challenge and in a context where there often high levels of trauma. By gaining new experiences and going to new places this helps build resilience.

The governance arrangements for this purpose will be NAAJA's Law and Justice section collaborating with partners to create international experiences and NAAJA International Fund assisting with travel costs, accommodation, a stipend and insurance. Key partners such as Charles Darwin University will identify Bilata university participants as partners are well placed to assess based on effort, participation and results in studies. NAAJA will not be involved in the selection.

### **NAAJA as a practice seeking to be trauma-informed**

The NAAJA International Fund aligns with NAAJA's strong commitment to developing, maintaining and strengthening cultural competency and trauma-informed practice in all areas of our work.

NAAJA's Cultural Competency Framework 2017 – 2020 describes the organisational approach and commitment to developing cultural competency. A guiding principle of the framework is 'we seek to be trauma-informed and embed these practices across our work'. Trauma-informed practice developed by the health sector, and with foundations from tens of thousands of years of Indigenous practices, also recognises the importance of meaningful approaches to developing cultural competency.

NAAJA deals with high levels of trauma across all of our legal services and justice programs. In recognition of the impact of trauma (including vicarious trauma), NAAJA seeks to equip staff to identify and respond to trauma by ensuring all staff complete compulsory trauma-informed training.

As an organisation, NAAJA aspires to build the capacity of, and increase, the numbers of Aboriginal and Torres Strait Islander employees including pathways to study and practice law. NAAJA recognises that both Aboriginal and non-Aboriginal staff are impacted by trauma and may have faced trauma in their own lives and experiences, and that each person responds differently.

We also know there is a higher likelihood for Aboriginal and Torres Strait Islander staff to:

- Have faced trauma in their own lives or experiences or know family members (including inter-generationally) who have faced trauma;
- Be aware, or have perceptions of, how trauma is associated with discrimination and systemic or institutionalised discrimination, and how these forms of discrimination relate to the law and justice system;<sup>2</sup>
- Work in the frontline where NAAJA services engage directly with people who have experienced high levels of trauma. Because of the nature of the law and justice system many of these roles include engaging in work activities where issues relating to trauma are present.

Whilst Aboriginal and Torres Strait Islander staff build on their strengths and demonstrate resilience in performing these roles, the above points also pose risks in relation to vicarious

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<sup>2</sup> See, for example, Larrakia Nation and University of Tasmania, *Telling it like it is: Aboriginal perspectives on race relations*, August 2016, 9.

trauma. Against this background, supporting Aboriginal and Torres Strait Islander staff to experience new places and make new connections can help in building resilience, serve as inspiration to family and community members and ensure a strong Aboriginal voice promoting the rights and interests of Aboriginal people at an international level.

At NAAJA, we connect this fund and its 2 purposes to the narrative of developing and strengthening a trauma-informed practice. We want our mob to experience other places, and to come back and continue to serve the community and their families.