



**NSW  
Aboriginal  
Justice  
Advisory  
Council**

27 November 2006

Dr Ian Holland  
Secretary  
Environment Communications Information Technology and the Arts Committee

By Email: [ecita.sen@aph.gov.au](mailto:ecita.sen@aph.gov.au)

Dear Dr Holland

### **Inquiry Into Australia's Indigenous Visual Arts & Craft Sector**

Thank you for the opportunity to make this submission on behalf of the New South Wales (NSW) Aboriginal Justice Advisory Council.

#### **About the NSW Aboriginal Justice Advisory Council**

The NSW Aboriginal Justice Advisory Council (AJAC) was established in 1993 (it was a committee until 1998). The AJAC was established to provide advice directly to the New South Wales Government on law and justice issues effecting Aboriginal people in this state. The AJAC was established in response to Recommendation 2 of the Royal Commission into Aboriginal Deaths in Custody, namely:

*'That subject to the adoption by governments of this recommendation and the concurrence of Aboriginal communities and appropriate legislation, there be established in each State and Territory an independent Aboriginal Justice Advisory Committee to provide each Government with advice on Aboriginal perceptions of criminal justice matters, and the implementation of the recommendations of this report.'*

The council made up of a chairperson, six community representatives, youth representatives and specialist positions in human services and law.

The AJAC is an independent government body responsible for holding the government and its agencies accountable for implementing the Aboriginal Justice Plan (the AJP). The AJP was developed with wide consultation with Aboriginal communities across NSW and affirms the government's commitment to addressing the underlying causes of offending behaviour to reduce the over-representation of Aboriginal people in the criminal justice system. It provides the foundation for the relationship between the government and Aboriginal people over the next decade.

The AJAC supports the submission made by the Arts Law Centre of Australia (Arts Law).

Whilst the AJAC primarily addresses issues regarding the NSW criminal justice system, we recognise the fundamental importance for the protection of Indigenous cultural heritage. The AJAC supports the need for *sui generis* legislation to ensure the protection is achieved. The AJP recognises a number of priority areas that can assist in achieving community and cultural empowerment.

Other issues we support include:

- continued funding for existing government support programs, such as Arts Law's Indigenous legal service *Artists in the Black* and Viscopy's Indigenous service.
- increased government funding and infrastructure support for programs operating in regional and rural areas of NSW to educate Indigenous artists about their legal rights.
- increased support in NSW for arts service providers and artists (including communities). It is well known that the Northern Territory and Western Australia receive considerable support unlike areas including NSW. We believe increased support in NSW is required as it recognises the diversity of Indigenous culture in Australia and provides the arts with an opportunity to prosper. Existing services, such as Boomalli, provide this essential support, however we believe greater support is required.
- increased educational support for inmates in NSW correctional centres and juvenile detention centres. The AJP primary objective is to reduce the over representation of Indigenous people in contact with the criminal justice system. The AJP also recognises the significance of economic sustainability in empowering Indigenous communities. We are of the view that art therapy programs operating in correctional centres and juvenile detention centres offer Indigenous artists cultural, financial and employment opportunities that potentially results in the reduction of the over representation.
- increased support for participants involved in the Community Development Employment Projects program (CDEP). The CDEP is a government

employment initiative that aims to create Indigenous employment opportunities. However, the CDEP does not provide financial viability for participants and does not reflect actual employment prospects particularly for people in regional and rural Australia. We understand many CDEP participants are involved in artistic programs and believe more attention is needed to support artists in achieving a professional arts practice which leads to economic and employment opportunities.

The AJAC looks forward to hearing the outcome of the review.

Yours sincerely

**Terry Chenery**  
**Executive Officer**  
**NSW Aboriginal Justice Advisory Council**