

Reflections on 2018 and the challenges ahead in 2019

CRIMINAL LAWYERS ASSOCIATION OF THE NORTHERN TERRITORY (CLANT)

2018 was an extremely busy and productive year for the committee, during which members participated in a number of capacities on external committees, reform groups or conferences including:

- Criminal Justice Forum
- Making Justice Work
- JusTas and Deakin University Reintegration Puzzle Conference
- International Criminal Law Congress
- Law Society NT Council
- Law Society NT Social Justice sub-committee
- Law Society NT CPD/CDU sub-committee
- Law Society NT Law Week Committee
- NT Law Reform Committee
- Territory Families Legislative Amendment Advisory Committee
- Crime and Justice round table with Luke Gosling
- Youth justice forum Katherine Council and Sandra Nelson
- Katherine Local Court Users Group
- Darwin Local Court Users Group
- Alice Springs Local Court Users Group

We were also involved in policy reform or sent submissions in relation to:

- Monitoring Places of Detention (OPCAT) Bill

- Recognition of 'dead time'
- *Evidence (National Uniform Law) Act review*
- Amendments to coincidence and tendency provisions in *Evidence (National Uniform Law) Act*
- Judicial conduct
- Reduction in addictive behaviours
- De-criminalisation of certain drug offences
- Abolition of all forms of mandatory sentencing
- Implementation of the recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory
- Criminal Code Amendment Bill
- Draft Charter of Victims' Rights

We hosted a number of events in the past year including the Biennial Tony Fitzgerald Memorial Lecture, a mock trial during Law Week at the Supreme Court in Alice Springs and the 'Centralian catch up' for members in Alice Springs and the Barkly region in March this year. We also made financial contributions to the NT Human Rights Awards and the upcoming Language and the Law III Conference to be held in Alice Springs.

As president I met with the Attorney-General on a number of occasions to discuss a range of issues. I also met with senior staff from Territory Families to discuss the ongoing issues within youth justice and to promote strategies to better utilise bail supported accommodation. I met



Marty Aust
President
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with the deputy leader of the opposition in August to update her on our key messages. I recently attended a presentation by David McGuire, CEO of Diagrama, who was able to provide fresh perspective on approaches to dealing with youth offenders that are results based and put our system of prison-like detention centres to shame.

On 17 November I gave evidence at the select committee hearings into strategies for harm reduction of addictive behaviours at which we highlighted the need for therapeutic courts, abolition of mandatory sentencing and reforms to the *Alcohol Harm Reduction Act*; as well as raising the issue of wholesale reform surrounding drug offences and the de-criminalisation of certain offences.

2018 was a very tough year, we have reflected upon the ongoing failings of our youth justice system, which now a year on from the release of the Royal Commission's recommendations, appears in a more dire state of affairs than ever before.

2019 proves to be an even more challenging year. Many of the reforms and strategies that we anticipate will improve our criminal justice system for both adults and children alike, will require significant funding and the cooperation of a Government with an appetite for change and a preparedness to make tough decisions. This is unlikely given the current 'budget crisis' and lamentable financial governance that will undoubtedly impact all Territorians in the short term future.

We hunger for real change that will see the abolition of mandatory sentencing of all forms, significant justice re-investment in crucial areas and a multi-agency approach to the roll out of infrastructure and development in regional and remote areas that can address underlying criminogenic risk factors. This will necessarily include drug and alcohol rehabilitation centres, secure care mental health facilities and education and employment programs, as well as better needs-based rehabilitation and education programs in prisons including greater access to community-based employment and work camps for appropriately classified prisoners. Such initiatives will promote generational change and assist in reducing crime rates, reaching 'closing the gap' targets and positively impacting upon the harrowing rate of youth and adult suicide rates in the NT.

On a more positive note, we are returning to our spiritual home, the Bali Hyatt, for the 2019 Bali Conference 'True Crime NT: Murder et al', which is shaping up as our biggest and best conference to date. This year's conference runs from 22 June to 29 June and will feature George Georgiou SC as our key note speaker. Registrations are open and anyone wishing to register or looking for further details should contact Dee Berkley at dee@solusibs.com as soon as possible to take advantage of the best conference accommodation packages.