



Sovereign Union of First Nations and Peoples in Australia
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MEDIA RELEASE

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Anderson warns: Cuts to Aboriginal Legal Aid budget deny natural justice and rights of appeal.

Michael Anderson, Convenor of the Sovereign Union of First Nations and Peoples in Australia, said from Goodooga today:

The recent cuts by the Commonwealth government to the Aboriginal Legal Aid budget demonstrate the need for Aboriginal people to change the way they do business with governments.

[<http://www.sbs.com.au/yourlanguage/aboriginal/highlight/page/id/303557/t/Legal-Aid-Cuts-Deep/in/english>]

These cuts to legal aid will also deny people of their natural legal right to appeal severity of sentencing and to appeal the facts presented by police, etc. There will be others who will no longer have access to the Court of Criminal Appeal from within prison. The underfunded pilot diversionary programs being introduced are no substitute for natural justice.

What complicates these cuts even more is the fact that PM Tony Abbott's leading Aboriginal advisor, Warren Mundine, supports the budget cuts and dismisses any arguments about the delivery of true justice by establishing a monologue on ideology versus pragmatism. Such a debate has no place when we talk about the dire need for justice.

[<http://www.theaustralian.com.au/national-affairs/opinion/when-ideology-trumps-pragmatism-everybody-pays>]

Statistics show that the Aboriginal community has been demonized to the point where those agents of law have now criminalized Aboriginality.

Our custodial systems are in disarray – with the Australian prison population now over 31,000, having doubled from 15,000 in 1992 to 30,000 in 2012 – and the imprisonment of Aboriginal peoples having skyrocketed from 1 in 7 of all prisoners in 1992 to 1 in 4 in 2012 and now to nearly 1 in 3. More than 8,500 of our prison population are ATSI peoples. Western Australian prisons hold more than 2,000 of the 8,500 ATSI prisoners. WA incarcerates Aboriginal peoples at the highest rate in the nation, indeed, from a racial measure, at the highest rate in the world.

[by Gerry Georgatos in <http://thestringer.com.au/australia-the-mother-of-all-jailers-of-aboriginal-people>]

It is clear that Mundine and his cohorts have little to no knowledge of daily police

intimidation and negative profiling of the Aboriginal population in Australia. Although Ben Wyatt, opposition Treasury spokesman and spokesman for indigenous affairs in Western Australia, does highlight that:

The Chief Justice of the Supreme Court of Western Australia, Wayne Martin QC, speaking at the 7th Annual National Indigenous Legal Conference in 2012, made it clear that, as a result of systemic discrimination, Aboriginal people were more likely to be arrested, more likely to be remanded in custody than granted bail, more likely to breach the conditions of bail when it is actually granted, and more likely to be imprisoned than have a non-custodial sentence applied. This is the reality of Aboriginal people who bump up against the criminal justice systems.

[*The Australian*, 8 January 2014]

he then simply engages in this matter to debate Warren Mundine on his choice of words being pragmatic as opposed to dealing with ideologies. This kind of debate does NOT address the real issue of justice being served and the continuing institutionalized racism that permeates virtually every part of Australian public and private life.

I might add that every person under the English common law system has a right to be heard in the criminal justice system and to deprive people of their day in court is an absolute violation and abuse of Human Rights.

It appears that PM Tony Abbott's government and his advisors have regressed to the point where Australia can now be classified as equivalent to South Africa under apartheid. The only difference here is that the spin doctors are calling for the absolute erosion of basic Human Rights and civil liberties in the name of community safety and law and order, as a protection from drunken louts in places such as Kings Cross, Bondi and the Gold Coast. Then we have the Queensland proposal of gang and anti association laws to supposedly reign in organized crime with a focus on bkie gangs.

[<http://www.abc.net.au/news/2014-01-09/challenge-to-qld-anti-bikie-laws-to-reach-high-court>]

We also need to ask: What about the drug distribution in the white collar workers' industry and Australia's yuppie club haunts, at such places as the Sydney Star City Casino, the Melbourne Casino, the Treasury Casino and other specialized night club haunts of the public servants and others.

These government attempts to erode the general human rights and civil liberties of the public are evidence of an inept and incompetent police force.

If we continue to go down the pathway that the politicians are following, we will have in place in this country the same type of laws that were brought into place by Adolf Hitler and the Third Reich. This is not an emotive statement, this is reality.

[<http://www.sunshinecoastdaily.com.au/news/bleijies-old-firm-links-new-law-to-nazis/2055672/>]

For those who seek to understand this statement look at the Third Reich policies to established to control people from forming associations.

To cut back on the legal aid budget and legal assistance across the board guarantees even higher rates of imprisonment, which is an abuse of the justice system by the State. This concerns every Australian citizen, not just Aboriginal and Torres Strait Islander communities and bkie gangs.

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Background:

WGAR News: NATSILS Factsheet: funding cuts to Aboriginal & Torres Strait Islander Legal Services (22 December 2013)
<http://indymedia.org.au/2013/12/21/wgar-news-natsils-factsheet-funding-cuts-to-aboriginal-torres-strait-islander-legal-servi>

WGAR News: Indigenous legal aid cuts must not go ahead: Greens Senators Rachel Siewert & Penny Wright (25 November 2013)
<http://indymedia.org.au/2013/11/24/wgar-news-indigenous-legal-aid-cuts-must-not-go-ahead-greens-senators-rachel-siewert-penn>