



11th September 2023

The Hon. Anthony Albanese, MP  
Prime Minister of Australia

Senator the Hon. Linda Burney, MP  
Minister for Indigenous Australians

Senator the Hon. Katy Gallagher, MP  
Minister for Women

Senator the Hon. Amanda Rishworth, MP  
Minister for Social Services

Dear Prime Minister and Ministers,

**The National Aboriginal & Torres Strait Islander Women's Alliance (NATSIWA)** represents 1,100 individuals and organisational members from every State and Territory in Australia. **The National Aboriginal Torres Strait Islander Women's Alliance (NATSIWA)** is the peak body for Aboriginal and Torres Strait Islander Women in Australia. The leadership team of Directors are Aboriginal and Torres Strait Islander Women each representing States and Territories across Australia.

We feel compelled to write to you on behalf of our members to convey their concern for the current interpreter shortage. This shortage is across the Northern Territory, Alice Springs, Katherine, Tennant Creek, APY, NPY lands and into South Australia. It is a well-known fact that there is an over-representation of Aboriginal and Torres Strait Islander peoples in the courts and Australian Criminal Justice System and more concerning is a growing over-representation of Aboriginal and Torres Strait Islander women.

Our concerns are that the fundamental human rights are being breached. *Article 14 (3) of the International Covenant on Civil and Political Rights (ICCPR)*, <sup>1</sup>states:

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<sup>1</sup> United Nations (General Assembly). (1966). International Covenant on Civil and Political Rights. Treaty Series, 999, 171. United Nations International Covenant on Civil and Political Rights (entry into force 23

In the determination of any criminal charge against him: ... everyone shall be entitled to the following minimum guarantees:

**(f) To have free assistance of an interpreter if he cannot understand or speak the language used in court.**

NATSIWA's concerns with the interpreter crisis are:

- ***ATSI women and our young women are being unnecessarily remanded in custody (RIC) at times away from their homelands and communities, while an interpreter becomes available;***
- ***ATSI women in DFSV situations, are delayed access to interpreters, keeping them in vulnerable and potentially lethal situations while matters are adjourned for six (6) weeks or more for an interpreter to become available;***
- ***ATSI women and our young women are entering into guilty pleas as they are under pressure, they cannot pay fines and the impact of a criminal history can be a detriment to further employment and oppression;***
- ***The resulting cost on the taxpayer should be a concern to Australians;***
- ***This deprives ATSI people of their right to procedural fairness and access to Justice.***

Furthermore:

- ***We are urgently requesting the Government to review the current interpreter service availability in Australia;***
- ***We are urging the Government to make all interpreter contracts permanent, full time jobs and not casual contracts and that these positions be resourced and funded appropriately;***
- ***We are urging the Government to provide more funding and to value the role that ATSI interpreters play in the Australian Criminal Justice System: and***

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March 1976) in accordance with Article 49, for all provisions except those of Article 41, 28 March 1979. Australia became a signatory 18 December 1979 and Ratified 13 August 1980.

- ***We request that further scoping, research and review needs a “cultural-lens’ impeded in the approach and evaluation of all related supports, services and early-intervention programs, that have been identified to reduce the over-representation for ATSI peoples, in particular ATSI women, whom are becoming the fastest growing population of incarcerated cohorts in Correctional Centres and Institutions here in Australia.***

In the words of Aunty June Oscar (***First Peoples Disability Network Australian - FPDN***)


**“we were disposed and denied to speak our language, there is no value and recognition of our language”.**

We are requesting this Government to unequivocally value and recognise the vital importance that language has in connection to culture and country. Preserving, ATSI language that has survived, should be a priority of this Government and will give generations to come, irreplaceable legacy and connection to culture, whilst reinstating procedural fairness in the Australian Criminal Justice System.

Thank you for your consideration. Please contact the CEO below if you have any questions. or require further information.

Yours in Healing & Hope...

Warmest Regards,



**Yasmin Johnson** (She / Her)

Chief Executive Officer

National Aboriginal & Torres Strait Islander Women’s Alliance

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