

Dear Ms Bleeser

Thank you for the opportunity to provide amendments to the Hansard transcript of evidence of the Committee's hearing in Alice Springs on Wednesday, 17 February 2010. Please find **attached** a marked up copy of the transcript. Our amendments appear from CA29 – CA34. We trust that our amendments will be acceptable to you and the Committee.

We also **attach** the Southern Magistrates Circuit – 2010 roster which reflects the planning board referred to by Mrs Patricia Miller in her opening statement. CAALAS lawyers and support staff service all the bush courts on this roster.

We take this opportunity to provide our answer to the question on notice taken from Senator Adams.

We undertook to provide information as to whether CAALAS has experienced an increase in criminal caseload since the introduction of the NTER legislation in 2007. Senator Adams sought this information in light of a quote from the *Closing the Gap Report* contained on page 16 of our submission:

*Blanket alcohol restrictions have failed to decrease the amount of alcohol related violence in Central Australia. Since the beginning of the NTER, alcohol related incidents reported to police have increased by 29%, substance abuse related incidents reported to police have increased by 77%, domestic violence incidents have increased by 61% and there has been an increase in confirmed incidents of child neglect from 63 to 177 cases.*

We reiterate that these statistics are taken directly from the *Closing the Gap Report* and were footnoted as such in our submission.

We provide the following organisational statistics that demonstrate a clear increase in criminal casework following the introduction of the NTER:

- In the year from July 2006 – June 2007, immediately preceding the NTER, CAALAS opened 7305 criminal matter files (advice, casework and duty matters).
- In 2007 – 2008, this figure increased to 7334.
- In 2008 – 2009, this figure increased again to 8231.
- As at the 4 March 2010, the figure for 2009 – 2010 is 5946.

The manner in which CAALAS gathers casework statistics is mandated by the Federal Attorney-General's department as a condition of the organisation's funding. CAALAS does not gather statistics as to whether a matter is 'alcohol related' or 'substance abuse related'. However, the experience of CAALAS criminal lawyers is that the vast majority of criminal matters involve alcohol or substance abuse.

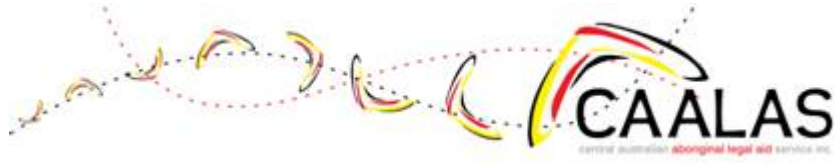
We note that the statistics from the *Closing the Gap Report* are of incidents *reported to police*. Please be aware that CAALAS casework statistics will not reflect these figures, as many incidents reported to police will not result in charges being laid. As such, we do not believe that it is useful to use CAALAS casework statistics to verify the accuracy or otherwise of the *Closing the Gap Report* statistics.

We maintain that the *Closing the Gap Report* statistics are a clear indication that the NTER has not worked to achieve the Government's stated aims of reducing alcohol and substance abuse related violence. While it is not possible to directly attribute the increase in incidents to the NTER laws, it is clear that the NTER has not resulted in any improvement in relation to alcohol and substance abuse related violence, domestic violence or child neglect. The lack of improvement (and, indeed, the clear worsening of the situation) means that the Government has no mandate to continue the racially discriminatory blanket alcohol restrictions in their current or proposed forms.

We thank the Committee for the opportunity to provide a response to Senator Adams' question on notice and encourage the Committee to contact us if they have any further questions regarding this or any other aspect of our submission.

Kind regards

**Emily Webster**  
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