

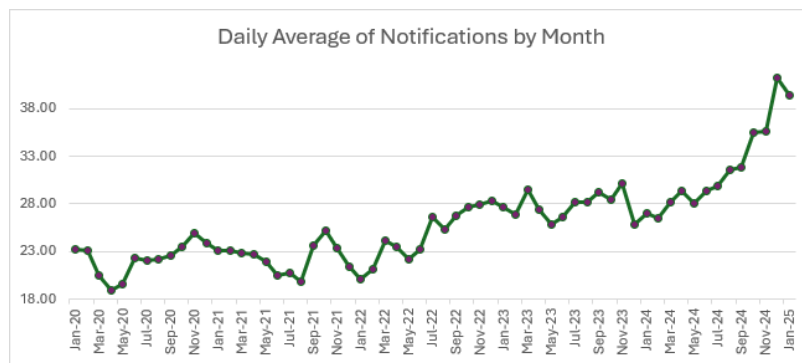


## Media release

### Aboriginal people continue to be locked up at record levels putting lives at risk

The North Australian Aboriginal Justice Agency (NAAJA) remains concerned by the ongoing record levels of incarceration of Aboriginal people across the Northern Territory and has renewed calls for urgent reform to address systemic inequalities in the criminal justice system. It is also calling for a greater emphasis on diversionary, rehabilitation and education programs as an alternative to incarceration.

Since December 2024 an average of 40 Aboriginal people are being taken into custody every day, almost a doubling of the average daily rate of 23 in January 2020.



The Local Court is now projecting that criminal matters across the Northern Territory will reach 22,448 matters by 30 June 2025, an increase of 24% from the previous year. Adults without bail are spending an average of 96 days on remand, and youth an average of 86 days on remand, awaiting trial. The jail population is now at record levels with over 2,700 in prison, with no signs of easing, and the courts and lawyers are working on public holidays and after hours just to get through the number of matters before the courts.

Recent data shows that Aboriginal people are significantly overrepresented in the Australian prison system, with incarceration rates far higher than the general population. The Productivity Commission’s Closing the Gap review in February 2024 found ‘commitments under the *National Agreement on Closing the Gap* were largely unfulfilled by governments’. The target of 1,821 Aboriginal adults in custody per 100,000 adult population is heading in the wrong direction with the NT rate at 3,029 at 30 June 2023

**1800 898 251**  
 reception@naaja.org.au  
 www.naaja.org.au  
 North Australian Aboriginal  
 Justice Agency Limited  
 ABN: 63 118 017 842

**Darwin**  
 61 Smith Street  
 Darwin NT 0801  
 Tel: 08 8982 5100  
 Free: 1800 898 251

**Katherine**  
 10 Third Street  
 Katherine NT 0850  
 Tel: 08 8972 5000  
 Free: 1800 897 728

**Alice Springs**  
 Level 2, 16 Hartley Street  
 Alice Springs NT 0870  
 Tel: 08 8950 9300  
 Free: 1800 636 097

**Tennant Creek**  
 61 Paterson Street  
 Tennant Creek NT 0860  
 Tel: 08 8962 1332  
 Free: 1800 636 097



(compared to just 176 for non-Aboriginal people), even before the upsurge in imprisonment rates from January 2024.

‘Many of our people are behind bars now than ever before’, said Theresa Roe, NAAJA chair. ‘This alarming trend reflects the ongoing failure of the justice system and it continues to have a devastating effects on families, communities, and the broader community. The national Closing the Gap target of reducing Aboriginal incarceration in the NT for adults by 15% and youth by 30% by 2031 is now just pie in the sky and no longer reality and an embarrassment for the Northern Territory.’

The justice system in the Northern Territory and government policies are completely failing Aboriginal people and creating ongoing intergenerational problems with these punitive approaches and laws.

Despite the increased demand for its services, NAAJA continues to deliver high quality services to Aboriginal people in the Northern Territory:

- all Aboriginal people in the Northern Territory have been legally represented in criminal proceedings in all courts, including bush courts, unless they choose not to be represented by NAAJA or there is a conflict of interest (7.3% of criminal matters are currently referred to Legal Aid NT as a result of a conflict of interest)
- recruitment for NAAJA lawyers is up-to-date and there is currently only two vacant legal positions advertised by NAAJA. The workload and productivity per individual lawyer has increased significantly to 119 clients per lawyer in NAAJA’s Alice Springs office and 133 clients per lawyer in both the Darwin and Katherine offices
- NAAJA provided legal services to a total of 8,104 unique Aboriginal clients from 1 July to 31 December 2024, with a 19.5% increase from the previous six months in criminal matters
- in January 2025, NAAJA’s criminal staff received a record of 4,889 telephone calls from clients, up from 2,800 in November and December 2024 (a 73% increase), with just six calls (0.12%) unanswered—these calls were returned within one business day
- NAAJA’s custody notifications service—a 24 hours seven day a week telephone service that provides welfare checks on Aboriginal people when they are first taken into custody—in January 2025 dealt with the second highest number of custody notifications at 1,221, including one 10 year old and two 11 year old youths.

In addition to the pressures on the courts and prisons, NAAJA has serious concerns about the use of watch houses for remand and as prisons. NAAJA clients continually raise complaints about the unacceptable state of watch houses and overcrowding, particularly the Palmerston watch house, and the lack of access to legal advice, family visits, showers and ablutions, stretching and exercise (at least one hour a day) and natural light. In January 2025, 374 Aboriginal people were taken into custody at the Palmerston watch house but 27% were unable to speak to NAAJA’s custody notification service. In the first week of February 2025, this had increased to 34%, compared to Alice Springs (9%), Katherine (8%) and Tennant Creek (5%) watch houses. The custody notification service, introduced in 2019, has reduced deaths in custody to almost nil, but with 34% of people at Palmerston watch house not accessing the service, NAAJA is concerned that someone will die in custody at the watch house.

NAAJA is calling for immediate action on the following:

- increased investment in diversionary, rehabilitation and education programs that address the root causes of criminal behaviour, including mental health issues, substance abuse, and systemic poverty
- greater access to legal representation for Aboriginal people and an expansion of interpreter services

- an independent review of the conditions of watch houses, particularly the Palmerston watch house
- a Parliamentary inquiry into the impact of new criminal, corrections and bail legislation and bills introduced since September 2024.

‘Sadly, we see Aboriginal people entering the justice system, facing charges that could be mitigated with proper support and diversionary programs, which unfortunately are not supported and underfunded in the Northern Territory’, continued Theresa Roe. ‘Prisons and youth detentions centres should not be the default response for young people and adults facing complex issues like poverty, mental health, or substance abuse.’

NAAJA has provided briefings to the Northern Territory Attorney-General and shadow Attorney-General. Briefings have been regularly offered to both senators for the Northern Territory, the Minister for Indigenous Australians and shadow minister.

### **Media contact**

Comments in this media release other than direct quotes can be attributed to a NAAJA spokesperson.

Anthony Beven, 0419 218 518, [anthony.beven@naaja.org.au](mailto:anthony.beven@naaja.org.au)  
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