



## OFFICE OF THE HON. DR BRAD PETTITT MLC MEMBER FOR SOUTH METROPOLITAN

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Hon Peter Foster MLC  
Chair, Standing Committee on Environment and Public Affairs  
Legislative Council Committee Office

Via email: [env@parliament.wa.gov.au](mailto:env@parliament.wa.gov.au)

Dear Chair

### **Petition No. 85 & 86 – Urgent review of the justice system, Racial discrimination within the justice system**

I wish to thank the Committee for the opportunity to make a submission on this issue.

As noted in petition no. 85, the Australian Law Reform Commission's Pathways to Justice Report (2018) found that First Nations people are significantly more likely to be imprisoned than non-First Nations people charged with similar crimes. Whilst the report has a nationwide scope, the over-incarceration of First Nations people in Australia is nowhere more pronounced than in Western Australia. As at March 2023, around 1 in 41 First Nations people were imprisoned across Australia. This figure is unacceptably high, yet pales in comparison to Western Australia, where 1 in 27 First Nations people are incarcerated.

A forensic and transparent review of Western Australia's criminal justice system is urgently needed to diagnose the broken parts which make it a two-tier system of justice and inflict cycles of oppression upon First Nations people and their communities. The role that all-white juries in trials of non-white defendants play in this systemic racial discrimination ought to be given foremost consideration if our criminal justice system is ever to be a system of equitable justice, not racial oppression.

As the Voice Referendum draws nearer, the time for colonial institutions to elevate, reflect on, and learn from the experiences of First Nations people is more critical than ever. Each signature on these petitions represents a Western Australian citizen who is all too aware of the racial discrimination embedded into this state's criminal justice system and the cycles of oppression it perpetuates. I call on the Committee to heed their voices and Western Australia's stark rates of over-incarceration of First Nations people and support these petitions.

Thank you for considering these petitions.

Kind regards

**Hon Dr Brad Pettitt MLC**  
Member for South Metropolitan