

**From:** Ballardong Nyungah First Nations People Blurton

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**Sent:** Tuesday, June 20, 2023 2:19 PM

**To:** Office of Hon Brad Pettitt MLC <

>; Pettitt.MLCBrad

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**Subject:** Submission

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

We wish to thank the Committee for the opportunity to make a submission on this issue of Ban All White Jury's, this is an issue that our community is very passionate about as seen in the amount of signatories. I sincerely hope they are received with good will and no repercussions on those who felt they could partake in this community action peacefully.

We have seen injustice in WA's criminal justice system that we are keen to get to the heart of and correct. For example, 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. The over-incarceration of First Nations people is more pronounced than in Western Australia. Where 1 in 27 First Nations people were incarcerated as at March 2023. This is higher than the 1 in 41 First Nations people who were imprisoned across Australia. This figure is unacceptably high.

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 of all-white juries in trials of non-white defendants have to play in this systemic racial discrimination ought to be given chief 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 finally dawning. 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. We are happy to partake in discussions with any form of working party to implement our proposal to Ban All White Juries.

Thank you for considering these petitions as we will continue to fight for justice.

Kind Regards

Deaths In Custody Watch Committee W.A.