MEDIA RELEASE

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JUDICIAL SYSTEM SENDING MIXED MESSAGES

"How can we expect Aboriginal people, particularly women and girls, to have confidence in the legal system when it sends out mixed messages?", says Loraine Braham, Independent Member for Braitling.

Mrs Braham was referring to the case of an Aboriginal elder whose new sentence imposed by the Court of Criminal Appeal for the sexual assault of his 14-year old promised bride is being appealed by NAAJA (formerly NAALAS).

"If the original case had delivered a sentence that met community expectations there wouldn't be this judicial merry-go-round of new sentences and appeals".

"I am not against the convicted man's right to appeal to a higher court. But I wonder just what sort of message this is sending to Aboriginal communities".

"Our law system must seem so confusing. The original judge said the crime was shocking but he gave an astonishingly trifling sentence".

"Women everywhere - both black and white - were outraged. Then another court agreed the sentence was too lenient and applied a more realistic penalty".

"How must the victim feel and just how much is this case costing taxpayers?". Mrs Braham said the case shows there needs to be a serious overhaul of the judicial system.

"Something is terribly wrong when a person convicted of fraud can get many years' gaol yet a man bashes, sodomises, kidnaps and terrorises a child and gets a slap on the wrist".

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"The judiciary has a duty to protect the public. But there is growing alarm in the community about many judicial decisions".

"Perhaps it is time to review the manner by which sentences are reached and introduce mandatory sentences rather than continue the current system of recommending a maximum penalty which judges seem to ignore".