

The Department of Justice on remand prisoners

A new proposal to house remand prisoners with sentenced prisoners to help combat overcrowding has been met with some criticism from elements of the legal profession. The Department of Justice is seeking to clarify its stance on the issue.

Richard Coates, Chief Executive Officer for the Department of Justice asked that we make public an explanation of the proposal.

Prior to a decision being made, the issues were discussed with the Director of the North Australian Aboriginal Legal Aid Service (NAALAS), the Northern Territory Legal Aid Commission (NTLAC) and the President of the Criminal Lawyers Association.

There was broad support from the director of NAALAS, provided the program only be applied to those remandees who had previously been incarcerated and freely consented to a move.

Under the initiative, remand prisoners can (at their request) be transferred to a sentenced block providing they have been previously incarcerated with an appropriate security classification and have been given an opportunity to obtain legal advice on the issue.

The Superintendent of the Prison has also undertaken not to transfer any remand prisoner, without first notifying the prisoner's lawyer of the proposed move.

"I accept that this interim measure to deal with the unprecedented number of remand prisoners in Darwin is less than perfect, however I believe it was preferable to the other short term options of either increased lockdowns, or the larger scale transfer of Top End prisoners to Alice Springs," Mr Coates said.

"I have asked Correctional Services to provide me with options for more appropriate longer term strategies for

remand, but do not believe that a stand alone purpose built remand facility, such as exists in Melbourne and Sydney is necessarily the best or only solution for the Territory.

"Apart from being extremely expensive, I would suggest that a maximum security, single cell environment would not be suitable for many of our indigenous prisoners," he said.

A review of the current arrangements will be held within three months and Mr Coates invites Law Society members to submit their views on the situation. Comment can be made to the Law Society or directly to the Department of Justice. ①

Federal Court appointments

The Hon Justice Bruce Thomas Lander has been appointed as a judge of the Federal Court of Australia and four new federal magistrates have also been announced.

Justice Lander will start his appointment in July, replacing the Hon Justice John von Doussa, who has been appointed as President of the Human Rights and Equal Opportunity Commission.

The four new federal magistrates will service Newcastle, south-east Queensland, Adelaide and Melbourne to help deliver cheaper, quicker and more efficient access to the Australian legal system.

The new appointments will be funded from within existing family law resources by appointing new magistrates rather than replacing former Family Court judges in Adelaide and Melbourne.①

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