

Call me a Lawyer

NAAJA releases new DVD in eight languages

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The North Australian Aboriginal Justice Agency (NAAJA) is pleased to announce the development and release of a DVD titled "Call Me a Lawyer" in eight languages used by Aboriginal people in the Top End of the Northern Territory.

The DVD has been produced in English, Kriol, Tiwi, Warlpiri, Anindilyakwa, Djambarrpuyngu, Gupapuyngu and Murrinh-Patha, and features Aboriginal Interpreters working together with NAAJA solicitors.

It has been widely acknowledged that Aboriginal people involved in the criminal justice system are disadvantaged because of language difficulties and cultural differences.

While most Aboriginal people are able to speak some English, for many English is not their first language. For some it is their 3rd or 4th language.

In complex situations such as police interviews, one consequence of English not being the Aboriginal person's first language is that many of these people misunderstand information provided to them, especially when formal English and legal terminology is used.

A good example of this can occur in the police interview context, where the caution is a main area of misunderstandings. This occurs frequently when people are informed, "You do not have to answer any questions." Most Aboriginal people have difficulty with the expression "have to" and will frequently answer "yes" when asked a question. This may be because they use the expression "have to" to mean "want to" or it may be they answer the question "yes" out of politeness, or "gratuitous concurrence" meaning 'I think that if I say "yes" you will see that I am socially obliging and you will think well of me.'

Cultural differences can also place Aboriginal people at a disadvantage when dealing with the law.

Aboriginal people may be reluctant to discuss a certain topic or person, as it may be one about which they are not allowed to speak. The person may have passed away or there may be kinship issues. It is also very common for Aboriginal people to have long lapses of silence during speech and this could wrongly be misconstrued as being evasive.

One of the purposes of developing

the DVD is to provide Aboriginal people who are confronted with challenging legal issues, a clear explanation of their rights in a culturally appropriate manner and in a language that they speak.

Developed with funding received from the Commonwealth Department of the Attorney-General, the DVD is an important source of information for all Aboriginal people who come in contact with the law.

The United Nations International Covenant on Civil and Political Rights states that a person is entitled to "be informed promptly and in detail in a language which he understands of the nature and of the cause of the charge against him." This DVD is designed to protect those rights for Aboriginal people.

A second DVD titled "Court Language" is currently in production and it is hoped that future funding can be secured to expand the number of languages covered and to provide further resources in this area.

Copies of "Call me Lawyer" can be obtained by contacting Danial Kelly, NAAJA's Community Legal Education Solicitor on (08) 8982 5100. }

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