

28/06/2020

Katja Bignall-Daly

Law Foundation of South Australia Inc.

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Dear members of the Law Foundation of South Australia,

I would like to take this opportunity to thank you for generously providing me with a scholarship of \$2150 to undertake a Humans Rights Law Internship at the North Australian Aboriginal Justice Agency (NAAJA) in their Alice Springs office. This internship accomplished my final elective course for my Bachelor of Laws at the University of Adelaide – and what a wonderful way to finish! This money helped pay for my flights, accommodation and general living expenses whilst I was there.

NAAJA is a legal aid organisation which provides legal services to Aboriginal people of the Northern Territory. NAAJA strives to provide culturally appropriate services to First Nations people, including specialised services for vulnerable persons including youths and defendants with mental health issues or disabilities, and interpreter services in a range of Indigenous languages relevant to the Central Desert region. NAAJA attracts excellent advocates who lobby for reform in legislation; programs; and policies that affect both the socio-economic participation of Indigenous Australians, and their overrepresentation in the criminal justice system. Additionally, NAAJA offers a 24/7 phone service that ensures Aboriginal people who are arrested can call a duty lawyer and receive free and timely legal advice, particularly regarding understanding rights with police questioning and the general interview process.

During my internship at NAAJA, I was placed in the criminal sector. I assisted the duty solicitors on matters heard in Youth Justice Court and the Court of Summary Jurisdiction (Local Court of Alice Springs), and the General Counsel in the Supreme Court of the Northern Territory. The majority of my time was spent at the Local Court which would hear summary and minor indictable matters. Day-to-day these would predominately be bail applications for charges regarding traffic offences and assault or aggravated assault

offences. My main duties as an intern was to assist the duty solicitors and other court personnel. Assistance ranged from administrative assistance; legal research; interviewing new clients; assisting clients' families and ensuring they understand what is happening; and sitting in on matters heard in the courtroom.

During my time at NAAJA, I was fortunate enough to be trusted to conduct interviews with clients. The main purpose of these interviews was to take personal histories of the clients. These histories would be informed by a range of topics set out in the Bar Book of Disadvantage categories which potentially can be used as a legal defence as precedent by the decision of *Bugmy v The Queen* [2013] HCA 37, which allows the court opportunity to decide of the relevance of an offender's background of profound socio-economic deprivation to the application of sentencing principles. I felt privileged to be trusted by both the lawyers and by the clients for the opportunity to listen to these stories. These processes highlighted the complexity of the overrepresentation of Aboriginal people in the Australian criminal justice system and, for me, put humanity back into the overwhelming statistics. These conversations have stayed with me and have played a large role in shaping my career aspirations in Indigenous legal rights.

Due to unprecedented times of global pandemic, my internship at NAAJA was cut short as the regional community of Alice Springs went into lockdown and both the office and State borders closed. Once home in South Australia, I combatted the boredom of mandatory isolation by continuing to assist the General Counsel prepare for a manslaughter case. This was very interesting to me, as it gave rise to many complex legal issues and required multifaceted legal research. This was a fabulous learning curve for me to understand trial preparation and the rules of evidence in practice. It also illustrated how a criminal defence lawyer must always prepare for the unexpected and ensure their approach is adaptable to a constantly evolving case. Despite my internship being cut short, this was still an incredibly insightful and worthwhile experience for me.

NAAJA is made up of a group of excellent legal minds who, due to a lack of funding and resources, are tremendously over-worked. As such, interns and practical legal training (PLT) students are an extremely valuable resource to the criminal team. The team at NAAJA was extremely welcoming. Each lawyer made the time to ensure I understood the processes and was getting the most out of my time there. Without the generosity of the Law Foundation of South Australia, I would not have been able to undertake this internship. My time at NAAJA was mutually beneficial: the lawyers appreciated the assistance I was able to provide, and for myself, this experience has cemented a career path as an advocate for the rights of

Indigenous people. Since completing this internship, I have received an employment offer from the Aboriginal Legal Rights Movement in Adelaide. I am sure this opportunity would not have been in arms reach without the experience I gained at NAAJA. The overrepresentation of our First Nations people in the criminal justice system is a critical issue in Australian jurisprudence. I am proud to pursue a career in this field that was kickstarted by this opportunity as an intern at NAAJA, made possible through the award of this scholarship.

I greatly appreciate the Law Foundation of South Australia granting me the financial assistance that has been pivotal in allowing me to undertake this amazing experience. I also would like to give a special thank you to Dr Laura Grenfell who has been supportive and flexible throughout the stress of the COVID-19 outbreak which caused me to cut my internship early.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Katja Bignall-Daly'.

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