



Specialist Courts for Sentencing Aboriginal Offenders: Aboriginal Courts in Australia

Paul Bennett

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Cecelia O'Loughlin (a Narungga woman from Point Pearce, South Australia) *Community Justice: You have a voice, let it be heard* 2003 oil on canvas Purchased collection of the Courts Administration Authority, Adelaide, 2003 (c) Courts Administration Authority

The specialist Aboriginal Court is one of the most important and controversial measures introduced in recent decades to address the disadvantage and particular needs of Aboriginal people in the criminal courts of Australia. This book offers a comprehensive analysis of Aboriginal Courts and their relationship to the criminal justice system. The Aboriginal Court is examined from practical and theoretical perspectives: the rationale for a specialist court for Aboriginal people, its aims, how they work, what they achieve and its critics. It describes the differing models of Aboriginal Courts in each jurisdiction, identifying their common features whilst emphasising their diverse and fundamentally localised nature. The analysis of what Aboriginal Courts achieve is introduced with a summary of current research on a range of outcomes: Aboriginal community participation, better sentencing information and attendance and recidivism rates. The book's central theme is that Aboriginal Court sentencing provides a simple and direct way for Aboriginal people to be heard and understood in a manner rarely achieved by a mainstream magistrates court in a busy list. This unique approach empowers and involves Aboriginal people in the court process, reducing barriers of language, culture and social disadvantage whilst better informing the sentencing court on the often complex needs of Aboriginal offenders, victims and their communities. *Specialist Courts for Sentencing Aboriginal Offenders* draws on current literature, academic and government research and the author's experience as a lawyer and magistrate in Aboriginal, specialist and mainstream criminal courts to explore how Aboriginal Courts have developed, their significance and to propose their more widespread use. "Paul Bennett's work will be highly valued, particularly by professionals involved in the criminal justice system. He has done us all a commendable service by comprehensively bringing together and objectively assessing the available material on Aboriginal Courts." From the Foreword by Justice Jenny Blokland of the Northern Territory Supreme Court

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