

OBJECTIVE 3: REDUCE RE-OFFENDING

Objective 3: Reduce re-offending

A majority of Koori prisoners and offenders have prior convictions. Therefore reducing re-offending is a particularly important priority for reducing Koori over-representation in the criminal justice system. The AJA3 expands the attention on prevention, early intervention and diversion along the justice continuum, making reducing re-offending a key priority.

Much of this objective concentrates on increasing protective factors and decreasing risk factors for further offending by Koories already involved in the justice system. Important focus areas include mental health and social and emotional wellbeing, alcohol and drug use, education and employment, housing, and connection to family, community and culture. Particular attention will be given to the unique needs of Koori women offenders in these areas.

AJA3 ensures cultural-responsiveness is maintained in correctional programs and services through a strong Koori workforce within corrections and Koori community organisations and the provision of culturally-responsive service models developed in Community Corrections under the Sentence Reform Project. Greater opportunities to develop partnerships between government and Koori community organisations also continue to be explored.

The first six months after release from prison are an especially high-risk time for recidivism. Therefore this objective also responds to the vital issue of continuity of care and post-release support, to help drive down re-offending rates and reduce Koori over-representation in the criminal justice system.

Strategies

- 3.1 Ensure conditions support the rehabilitation of Koori offenders.
- 3.2-3.4 Address [3.2] cultural strength, [3.3] education, training and employment and [3.4] mental health and social and emotional wellbeing, as protective factors that will help reduce re-offending for Koori prisoners and offenders.
- 3.5 Address individual offence-specific characteristics that put Koori prisoners and offenders at high risk of re-offending.
- 3.6 Ensure that Koories in custody are able to reintegrate effectively into their communities upon release.

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3.1 Ensure conditions support the rehabilitation of Koori offenders				
	Activity	Details	Agency <i>*Lead agency in italics</i>	
3.1.1	Ensure the welfare of Koories in the justice system, particularly in prison	3.1.1a	<p><i>The AJA2 evaluation found that prisons and Community Corrections are now significantly more responsive and inclusive of Koori needs. In prisons, the Aboriginal Wellbeing Officers and the Indigenous Services Officers play a critical role in directly assisting Koori prisoner, as well as helping other prison staff to understand the needs of Koori prisoners.</i></p> <p>Strengthen the Aboriginal Wellbeing Officer and Indigenous Services Officer Programs, across the correctional system, including the links between these programs and transition and post release support services.</p>	<p><i>Department of Justice (Corrections Victoria)</i></p> <p>Department of Human Services (Youth Justice)</p> <p>Victoria Police</p>
		3.1.1b	<p>Ensure current practice for the care and wellbeing of Koori detainees, prisoners and offenders complies with recommendations from the Royal Commission into Aboriginal Deaths in Custody and the 2005 Victorian Implementation Review of the Recommendations from the Royal Commission.</p> <p>Monitor and report to the Aboriginal Justice Forum on compliance of the care and wellbeing of Koori detainees, prisoners and offenders.</p>	

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	Activity	Details	Agency <i>*Lead agency in italics</i>
3.1.2	Address the health needs of Koori prisoners, including those with a disability	3.1.2a Strengthen the capability of the prison health system to deliver culturally-safe and appropriate services, including through: <ul style="list-style-type: none"> • ensuring Justice Health development of health policy is informed by state-wide strategy, policy and action plans associated with Aboriginal health, including <i>Koolin Balit</i> and the <i>Victorian Aboriginal Suicide Prevention and Response Action Plan 2010–15</i> • engaging Aboriginal health expertise on Justice Health's Clinical Advisory Committee, which provides guidance on policy development and planning • supporting delivery of cultural awareness training to prison health staff, service managers and Justice Health staff • monitoring implementation of standards of service delivery to Koori prisoners contained within the Justice Health Quality Framework • exploring opportunities to improve data collection and aggregate reporting of Indigenous status in association with health services. 	<i>Department of Justice (Justice Health)</i>
		3.1.2b Address the needs of Koori prisoners with a disability through: <ul style="list-style-type: none"> • assessing the adequacy of current programs and services to respond to Koori prisoners with a disability, specifically considering the complex needs of this subpopulation • scoping of national practice in relation to the management of Aboriginal offenders with an disability, via the National Forensic Disability Working Group reporting to Corrections Services Administrators Conference • exploring recommendations/actions arising from the Koori Prisoner Mental Health and Cognitive Function Survey for service delivery (links to Strategy 3.4 below) • strengthening access of Koori staff within Corrections Victoria to disability training and disability staff to cultural competency training. 	<i>Department of Justice (Corrections Victoria, Justice Health)</i>

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3.1.3	Develop, implement and monitor culturally responsive frameworks to guide the rehabilitation of Koori offenders and prisoners	3.1.3a	<p><i>Corrections Victoria is developing a cultural wraparound model to build its capacity to deliver offending behaviour programs to Koori offenders, including paroles, in Community Corrections settings [described in Objective 2, Activity 2.4.1].</i></p> <p>Monitor and evaluate the effectiveness of Corrections cultural wraparound model (for offending behaviour programs) in addressing the complex needs of Koori offenders.</p>	Department of Justice (Corrections Victoria)
		3.1.3b	Monitor Koori offender uptake, participation and completion of all offender rehabilitation programs, consistent with the Corrections Victoria Koori Inclusion Action Plan.	
		3.1.3c	Ensure the existing Offender Management Framework and the existing Intensive Case Management Model are inclusive, sensitive and responsive to the needs of Koori prisoners and offenders in consultation with the Koori Reference Group and Koori Caucus.	Department of Justice (Corrections Victoria)
		3.1.3d	Future action: Explore options for developing a Koori Offender Management Framework, which aims to reduce re-offending. The framework will map the strategic and operational objectives of managing Koori prisoners and offenders, including program pathways to reduce re-offending.	Department of Justice (Corrections Victoria)
		3.1.3e	Ensure assessment, case management, rehabilitation and reintegration services for young Aboriginal people detained in custody is provided in a manner that strengthens their connection to their family, community and culture.	Department of Human Services (Youth Justice)

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	Activity		Details	Agency <i>*Lead agency in italics</i>
3.1.4	Develop and strengthen Corrections Victoria's and Justice Health's partnerships with Koori organisations in the provision of services to Koori prisoners and offenders	3.1.4a	<p>Strengthen links between Corrections Victoria, Justice Health and Aboriginal community controlled organisations to enhance access to services for Koories in Community Corrections and prisons. This will be achieved by:</p> <ul style="list-style-type: none"> • undertaking a project (in partnership with Victorian Aboriginal Community Controlled Health Organisation) that develops recommendations to improve continuity of health care for Koori prisoners released from prison • exploring options to increase engagement between prison health and community-based Aboriginal Community Controlled Health Organisations at local and state levels, building on the joint project with Victorian Aboriginal Community Controlled Health Organisation • developing partnerships between Corrections Victoria and the Aboriginal Community Controlled Organisations that will further strengthen the cultural wrap around model in community corrections settings. 	<i>Department of Justice</i> (Justice Health, Corrections Victoria)

3.2	Address cultural strength as a protective factor that will help reduce re-offending for Koori prisoners and offenders			
3.2.1	Expand cultural-strengthening programs and activities for Koori men and women in custody or on community orders	3.2.1a	Improve access to cultural-strengthening programs by Koori men and women in custody or on community orders.	<i>Department of Justice</i> (Corrections Victoria)
		3.2.1b	Maintain cultural celebrations such as NAIDOC Week and Koori art expos in prison and community corrections settings.	
		3.2.1c	Continue to consider other locally-developed cultural-strengthening programs designed for Indigenous offender populations (e.g. Dardi Munwurro, Koori Faces) for delivery within custodial and community-based settings as appropriate.	

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3.3	Address education, training and employment as protective factors that will help reduce re-offending risk for Koori prisoners and offenders		
3.3.1	Increase Koori offender access to education, training and employment opportunities in prison and in the community	<p>3.3.1.a Implement the <i>Koori Education, Training and Employment Strategy 2011-13</i>:</p> <ul style="list-style-type: none"> • give Koori prisoners priority access to education and training to increase the number of Koori prisoners and offenders accessing education, training and employment initiatives • offer literacy and numeracy assessments to all Koori prisoners • deliver courses that are sensitive to the cultural needs and learning styles of Koori prisoners • develop and maintain connections with Koori Employment Broker/s. <p>3.3.1b Increase employment access and assistance for Koori prisoners, pre and post release.</p> <p>3.3.1c Ensure progress against the <i>Koori Education Training and Employment Strategy 2011-13</i> is monitored and informs the development of the next stage.</p> <p>3.3.1d Continue to strengthen opportunities for Koories on community orders to undertake community work at Koori-specific sites.</p>	<p>Department of Justice (Corrections Victoria)</p> <p>Department of Education and Early Childhood Development</p>

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3.4 Address mental health and social and emotional wellbeing as protective factors that will help reduce re-offending risk for Koori prisoners and offenders				
Activity		Details	Agency <i>*Lead agency in italics</i>	
3.4.1	Develop and implement a Koori Justice Mental Health Social and Emotional Wellbeing Strategy	3.4.1a	<p><i>A Koori Prisoner Mental Health and Cognitive Function Study is due for completion in 2013. It is expected that the findings of the study will guide improvements to services and inform future service planning and the provision of culturally-appropriate health care and support for Koori prisoners.</i></p> <p>Develop a Koori Justice Mental Health Social and Emotional Wellbeing Strategy that:</p> <ul style="list-style-type: none"> • is specific to the mental health and social and emotional wellbeing needs of Koori prisoners and offenders • responds to the findings and recommendations of the Koori Prisoner Mental Health and Cognitive Function Study • identifies modifications to existing programs and services that will be required to accommodate Koori prisoners and offenders with complex needs related cognitive disability and mental health concerns. 	<i>Department of Justice (Justice Health, Corrections Victoria)</i>
		3.4.1b	Implement the components of the above strategy that can be implemented within existing resources (e.g. reconfiguring existing services or practices), and scope those that require additional resources.	
		3.4.1c	Future action: Pending the identification of additional resources, fully implement the Koori Justice Mental Health and Social and Emotional Wellbeing Strategy, with particular attention to services for Koories with complex needs related cognitive disability and/or mental health concerns, and ensuring long-term sustainability.	

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3.5 Address individual offence-specific characteristics that put Koori prisoners and offenders at high risk of re-offending				
3.5.1	Increase Koori participation in offender rehabilitation programs and services	3.5.1a	Identify and respond to barriers to Koori offenders and prisoners accessing programs and services, including enhancing advocacy by Aboriginal Wellbeing Officers or Aboriginal Liaison Officers for Koori prisoners at Review and Assessment Committees.	<i>Department of Justice (Corrections Victoria)</i>
3.5.2	Deliver and monitor culturally responsive alcohol and drug programs for Koori offenders in Community Correctional Services and prison	3.5.2a	Develop a Corrections Drug Strategy to replace the Victorian Prisons Drug Strategy and Community Correctional Services Alcohol and Drug Strategy that: <ul style="list-style-type: none"> • reflects the whole-of-government Victorian Alcohol and Drug Strategy • takes into account the cultural, gender and disability-related needs of Koories. 	<i>Department of Justice (Corrections Victoria, Justice Health)</i>
		3.5.2b	Monitor Koori offender uptake, participation and completion of alcohol and drug programs delivered in Community Corrections and prison settings.	<i>Department of Justice (Justice Health)</i>
3.5.3	Ensure offending behaviour programs respond to the needs of Koori women offenders in Community Corrections and custody	3.5.3a	Ensure that the cultural wraparound approach addresses the unique needs of Koori women who participate in mainstream offending behaviour programs.	<i>Department of Justice (Corrections Victoria, Justice Health)</i>
		3.5.3b	Ensure Koori women are able to access programs that meet their needs in custodial settings.	

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	Activity		Details	Agency <i>*Lead agency in italics</i>
3.5.4	Strengthen the case management approach of the Koori Youth Justice Program to ensure young Koori peoples' connection to family, community and culture	3.5.4a	Ensure that youth offending behaviour programs are holistic and include a cultural strengthening focus.	<i>Department of Human Services (Youth Justice)</i>
		3.5.4b	Ensure young people are linked into services that will respond to their needs and strengthen their connection to family, community and culture through dissemination of appropriate information through the Koori Youth Justice Program.	
		3.5.4c	Review the numbers of young women coming to the attention of the Koori Youth Justice Program. Ensure the case management approach reflects the unique needs of young women.	
		3.5.4d	Explore the feasibility of including family decision making processes in the development of case plans that address young persons' needs, strengthens their connection to family, community and culture, and engages them with education, training or employment.	
3.5.5	Design family-based components into offending behaviour programs for Koories	3.5.5.a	Continue to support parenting programs for Koori prisoners and offenders who are parents (e.g. Koori Faces, Young Dads), to mitigate level of risk for their children.	<i>Department of Justice (Corrections Victoria, Justice Health)</i>
		3.5.5.b	Explore options for integrating family-based components into prison-based programs for Koori adults.	
		3.5.5.c	Future action: Explore options for integrating family-based components into community-based programs for Koori offenders, e.g. develop links with the Koori family therapists trained at the Bouverie Centre.	
		3.5.5.d	Future action: Explore options for incorporating restorative justice processes into prison-based and community-based offending behaviour programs for Koories convicted of family or community violence [links to Activity 4.1.4].	

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3.6	Ensure that Koories in custody are able to effectively reintegrate effectively into their communities upon release			
3.6.1	Assist Koori youth in detention to reintegrate into their communities	3.6.1a	Ensure that the case management approach of the Koori Youth Justice Program in Pre- and Post-Release Transitional Support for young Koori people meets their needs and is effective at supporting reintegration.	Department of Human Services (Youth Justice)
3.6.2	Increase support to Koories on parole	3.6.2.a	<p><i>The AJA2 evaluation found that the proportion of Koori prisoners released on parole has remained at around 33 per cent. Presentations to the Aboriginal Justice Forum indicated positive outcomes for Koories on parole but that lower numbers of Koories were electing to take up this option.</i></p> <p>Promote the benefits of parole to Koories prior to release from prison.</p>	Department of Justice (Corrections Victoria, Koori Justice Unit) Department of Human Services (Youth Justice)
		3.6.2.b	Expand membership of the Adult Parole Board and Youth Parole Board to ensure it includes both male and female Koori representatives.	
		3.6.2.c	Continue to deliver services that support young Koories on parole including the Koori Intensive Pre and Post Release Support Program.	
		3.6.2.d	Future action: Consider the feasibility of family mentoring approaches and other community support to assist Koori adult parolees with community re-integration.	
		3.6.2.e	Future action: Explore ways to further strengthen support available to Koories on parole, including from Indigenous Leading Community Corrections Officers and culturally competent Community Corrections Officers.	

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3.6.3	Address transition support gaps and expand the range of options available to assist Koori adults to reintegrate into their communities	3.6.3.a	Strengthen links between Corrections programs and services such as health, mental health and alcohol and drug programs, consistent with the commitment of the Departments of Health and Justice to work together under <i>Koolin Balit</i> .	<i>Department of Justice</i> (Corrections Victoria, Justice Health)
		3.6.3b	Strengthen access to and utilisation of Intensive Transitional Support Programs, including Koori KONNECT, WISP and LINK OUT for male and female Koori prisoners and actively promote these programs to Koori internal and external stakeholders.	
		3.6.3c	Strengthen partnerships between Corrections Victoria's providers of WISP, KONNECT and LINK OUT and Koori community organisations, to deliver community-based support services to Koories upon release from prison.	
		3.6.3d	Strengthen the cultural-responsiveness and competence of existing mainstream re-integration services to meet the needs of Koori prisoners.	
		3.6.3e	Investigate evidence-based holistic models of post-release support such as the Circles of Support model (volunteer-based approach where government partners with faith-based organisations), and consider options for adaptation to the Koori context if viable.	
3.6.4	Expand the range of post-release housing and employment options available to Koori men and women leaving prison	3.6.4a	<p>The AJA2 evaluation identified the two largest risks to successful reintegration as the transition into stable employment, and housing.</p> <p>Establish an Indigenous Homelessness Working Group. This group will include Department of Justice representation and will be responsible for:</p> <ul style="list-style-type: none"> identifying evidence-based housing and support models that assist Koori men and women exiting prison to make a successful transition to long term housing and reduce recidivism reviewing current models and identify areas of improvement that can be made within existing resources. 	<i>Department of Planning and Community Development</i> (Office of Aboriginal Affairs Victoria) Department of Justice (Koori Justice Unit, Corrections Victoria) Department of Human Services Aboriginal Housing Victoria Department of Business and Innovation

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		3.6.4b	As a focus for the above, and in conjunction with Aboriginal Community Controlled Organisations, explore options to further develop transitional training and employment services starting in custody, which continue as work placements, traineeships or entry-level jobs. Match the training and job placements to individuals' interests and capacities.	Department of Justice (Corrections Victoria) Department of Education and Early Childhood Development
		3.6.4c	Increase Koori prisoners' access to and utilisation of the Judy Lazarus Transitional Centre.	Department of Justice (Corrections Victoria) Department of Human Services
		3.6.4d	Consider ways to improve access to post-release housing for Koori women, including opportunities for increasing planned exits and brokerage funding to explore long-term social housing, private rental and supported housing options.	Department of Justice (Corrections Victoria) Department of Human Services
		3.6.4e	Future action: Increase availability of post release housing for Koori women.	Aboriginal Housing Victoria
3.6.5	Assist Koories to recover and maintain family links while in prison	3.6.5a	<i>The Royal Commission established that Koories affected by Stolen Generations were dramatically over-represented in prison populations, and this pattern has continued in subsequent generations. Stolen Generation Services therefore provide an important resource for many Koori prisoners, enabling them to strengthen their cultural identity and connections to family, community and country.</i> Explore protocols that formally link Koori prisoners and offenders with Stolen Generation Services including the Family History Service at the Koorie Heritage Trust, Link Up and Connecting Home [links to Activity 3.4.1, Koori Mental Health and Social and Emotional Wellbeing].	Department of Planning and Community Development (Office of Aboriginal Affairs Victoria) Department of Justice (Corrections Victoria)
		3.6.5b	Strengthen access to the Aboriginal Family Visits Programs enhancing the connection of Koori offenders with their families and communities.	Department of Justice (Corrections Victoria)
		3.6.5c	Future action: Explore options for the development/delivery of a Koori specific family module to be delivered to family, to complement Koori prisoners' engagement in mainstream offending behaviour programs [links to 3.5.5.b].	

OBJECTIVE 4: REDUCE CONFLICT, VIOLENCE AND VICTIMISATION

Objective 4: Reduce conflict, violence and victimisation

In its first decade, work under the AJA to reduce the disproportionately high rate of victimisation in the Koori population has drawn attention to the high rates of underlying conflict and violence in Koori communities. Violence is implicated in multiple areas of concern related to Koori contact with the justice system, including child abuse and neglect, youth disengagement, homelessness, imprisonment and victimisation. Alcohol and drug misuse has been identified as a major driver of conflict. Violence and victimisation is therefore a critical concern.

Consequently, the AJA has expanded its focus on reducing victimisation to also include direct responses to conflict and violence in Koori families and communities. Complementing work already occurring under the *Victorian Indigenous Family Violence 10-year Plan*, this enables a comprehensive, prevention-oriented and intergenerational approach to reducing victimisation in the Victorian Koori community.

Increasing the capacity of the Koori community is an important part of AJA3. This objective promotes and supports community-led initiatives in areas including lateral violence prevention, mediation, and healing models that address underlying causes. Given the role of substance misuse as a driver of violence, it also highlights the need for integrated responses that connect into the alcohol and drug service sector.

An important new activity to contribute to these efforts is the Koori Community Safety Grants Program. Funded in 2012 under the Community Crime Prevention Program, these grants support projects that prevent violence in Koori communities, especially in relation to its effect on women and children.

A logical and expected outcome of the expanded focus in AJA3 is an improvement in Koori community safety as well as contributing to reducing Koori over-representation in the criminal justice system.

Strategies

- 4.1 Develop the knowledge base on violence in Koori communities.
- 4.2 Prevent violence and increase the safety of Koori families and communities.
- 4.3 Address alcohol and drug abuse as a driver of violence.
- 4.4 Promote healing models for Koories that address underlying causes of violence and victimisation.
- 4.5 Reduce the impact of crime on victims.

OBJECTIVE 4: REDUCE CONFLICT, VIOLENCE AND VICTIMISATION

4.1 Develop the knowledge base on violence in Victorian Koori communities			
	Activity	Details	Agency <i>*Lead agency in italics</i>
4.1.1	Undertake research on the prevalence, frequency, nature and extent of violence in Koori communities	<p>4.1.1a <i>There are significant knowledge gaps about the prevalence, frequency, nature and extent of violence in Koori communities. Prevention and intervention responses need a strong localised evidence-base to maximise their effectiveness and succeed in improving community safety.</i></p> <p>Investigate the feasibility of a significant research project to identify and describe the types and patterns of violence in Koori communities. Consider possible consortium arrangements between the Koori Justice Unit, academic institutions and Koori community partners. Ensure the project includes a strengths-based focus, an explanatory model, and a pilot demonstration project so the research provides a direct-service benefit to the community.</p>	<i>Department of Justice (Koori Justice Unit)</i>
4.2 Prevent violence and increase the safety of Koori families and communities			
4.2.1	Develop local community-led violence prevention initiatives	<p>4.2.1a <i>The Koori Community Safety Grants Program provides opportunities for Koori community groups and organisations to work in partnership with government to design, deliver and evaluate initiatives that will help prevent violence in Koori communities, particularly against women and children.</i></p> <p><i>The grants will complement ongoing work in the Koori family violence area, by including consideration of all forms of violence and emphasising prevention. The three-year time frame, concentration of resources and emphasis on evaluation will allow the selected initiatives to function as demonstration projects.</i></p> <p>Implement the Koori Community Safety Grants projects, by supporting four three-year community-based projects that prevent violence in Koori communities, in particular violence against women and children.</p>	<i>Department of Justice (Koori Justice Unit)</i>

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Activity		Details	Agency <i>*Lead agency in italics</i>
(continued) Develop local community-led violence prevention initiatives	4.2.1b	Explore opportunities for coordination or collaboration between the Koori Community Safety Grants projects and Indigenous Family Violence initiatives and networks.	<i>Department of Justice</i> (Koori Justice Unit, Community Crime Prevention Unit)
	4.2.1c	Future action: Based on the outcomes of the Koori Community Safety Grants projects, consider options to expand depth and coverage to additional high-needs locations.	Department of Planning and Community Development (Office of Aboriginal Affairs Victoria) Department of Human Services
4.2.2 Assist Koories to prevent and respond to lateral violence	4.2.2a	<i>Lateral violence, also known as horizontal or intra-racial violence, can take many forms, including bullying, shaming, excluding, family feuding, misusing social medial (cyber-bullying) and organisational conflict. It often occurs when a number of people work together to attack or undermine another individual or group, and can involve physical, social, emotional, economic or spiritual forms of abuse.</i> <i>The Social Justice Report 2011 notes that the unique feature for Koori communities is that lateral violence stems from the sense of powerlessness that comes from oppression.</i> Assist Koori community organisations to prevent and address lateral violence by providing capacity-building workshops on conflict resolution and dispute prevention for the Koori community, upon request.	<i>Department of Justice</i> (Dispute Settlement Centre Victoria)
	4.2.2b	Continue to explore ways to assist the Koori community in its efforts to address lateral violence.	<i>Department of Justice</i> (Koori Justice Unit)
	4.2.2c	Future action: Explore options to expand the depth and coverage of lateral violence initiatives that have demonstrated positive outcomes on issues of community concern, such as cyber-bullying and other forms of violence occurring through social media.	<i>Department of Justice</i> (Koori Justice Unit, Dispute Settlement Centre Victoria)

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4.2.3	Reduce dispute-related conflict in Koori communities	4.2.3a	A Koori Mediation Program Model has been piloted under the AJA in the Loddon Mallee region (identified from data as an especially high-needs region). These services have the potential to reduce conflict and lateral violence in the Koori community. Investigate a roll-out of the Koori Mediation Program to ensure Koori clients have access to a Koori mediation service, including trained Koori mediators when requested.	Department of Justice (Dispute Settlement Centre Victoria)
		4.2.3b	Increase community capacity to reduce disputes and conflicts by providing flexible conflict resolution training for Elders and Respected Persons, promoted through the Regional Aboriginal Justice Advisory Committees (links with 4.2.2.a above).	
		4.2.3c	Future action: Explore options for supporting Koori mediation models more widely across Victoria, ensuring connection with other lateral violence responses.	
4.2.4	Investigate Restorative Justice responses to conflict, violence and victimisation in Koori families and communities	4.2.4a	Undertake research to determine appropriateness and level of resources required for restorative justice models to reduce conflict, violence and victimisation in Koori communities.	Department of Justice (Koori Justice Unit)

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4.3 Address alcohol and drug abuse as a driver of violence			
	Activity	Details	Agency <i>*Lead agency in italics</i>
4.3.1	Reduce the contribution of alcohol to family and community violence	<p>4.3.1a <i>Research has demonstrated that the great majority of Aboriginal perpetrators and victims of violent crime are alcohol-affected at the time of the violent incident. High-risk alcohol consumption is more strongly associated with the risk of violent victimisation in Aboriginal communities than any other single factor.</i></p> <p>Support the development of strategies identified by the whole-of-government Victorian Alcohol and Drug Strategy and <i>Koolin Balit: Aboriginal Health Plan</i> to reduce the contribution of alcohol to family and community violence. Include attention to families and communities that are doing well.</p>	<p><i>Department of Health</i></p> <p>Department of Justice</p> <p>Department of Education and Early Childhood Development</p>
4.3.2	Support linkages and joint training initiatives between Koori alcohol and drug services and violence and victim support services	<p>4.3.2a <i>Strengthening linkages between agencies and service providers, and improving coordination between specific initiatives is a priority for AJA3, including at the interface between alcohol and drug services for Koories and services addressing violence and victim support.</i></p> <p>As identified in the Koori Alcohol Action Plan, promote joint training initiatives between family violence workers and alcohol and other drug workers and:</p> <ul style="list-style-type: none"> include justice workers who provide services to victims and perpetrators of all forms of violence ensure training includes attention to the role of alcohol and drug abuse in family and community violence, including a focus on prescription drug abuse, ice and advice to families on how to respond to family members experiencing these issues. 	<p><i>Department of Health</i></p> <p>Department of Justice</p> <p>Department of Education and Early Childhood Development</p>
		<p>4.3.2b Future action: Support alcohol and drug workers and Indigenous family violence workers to integrate healing approaches into their work [Strategy 4.4], to effectively address underlying drivers of alcohol and drug abuse, including trans-generational trauma.</p>	<p><i>Department of Human Services</i></p> <p>Department of Health</p> <p>Department of Justice (Victims Support Agency)</p>

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4.4	Promote healing models for Koories that address underlying causes of violence and victimisation			
4.4.1	Increase access to promising healing approaches for Koories affected by violence	4.4.1.a	<p>Research and community feedback consistently highlights the need to develop, support and evaluate local, community-driven initiatives that promote healing. Emerging local approaches include gender-specific healing circles for Koories that combine West and Koori-specific health perspectives. These approaches typically explore the intergenerational experiences of Koories affected by violence, and strengthen protective factors and coping strategies. Recognise the importance of incorporating healing approaches into existing services addressing violence, victim support and/or alcohol and drug misuse by Koories who come into contact with the justice system.</p>	<p><i>Department of Justice</i> (Koori Justice Unit, Victims Support Agency, Corrections Victoria)</p> <p><i>Department of Health</i></p>

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4.5 Reduce the impact of crime on victims				
	Activity	Details	Agency <i>*Lead agency in italics</i>	
4.5.1	Increase Koori community involvement and ownership in the development and delivery of services to Koori victims of crime	4.5.1a	<p><i>The AJA2 evaluation has indicated that while services for Koori victims of crime in Victoria have improved, recorded victimisation levels have increased. The evaluation infers that this is due to the higher levels of violent crimes and crimes against family members for Koories, and an increased willingness to report. It is important therefore to continue strengthening services to Koori victims of crime in ways that gain the Koori community's confidence, and equip services to respond to victims with significant trauma.</i></p> <p>Increase Koori community involvement in the ongoing development and implementation of culturally-competent victims support services for Koories, including:</p> <ul style="list-style-type: none"> • supporting the Koori Victims Support Strategy, the Victims Support Agency <i>Aboriginal Victims of Crime Strategy 2012-15</i> and the Aboriginal Victims of Crime Team • supporting the <i>Standards for the Provision of Services to Victims of Crime 2011</i> that promote cultural competence and employment of Aboriginal victim support workers • promoting appropriate victim services more strongly to the Koori community, especially in high-crime, low-uptake areas • linking responses to Elder Abuse Prevention Initiatives including the Department of Health <i>Elder Abuse Prevention and Response Guidelines for Action 2012-14</i>. 	<i>Department of Justice (Victims Support Agency)</i>
		4.5.1b	Future action: Consider options to further strengthen the Koori victim services workforce to further improve service responsiveness and increase service uptake.	
		4.5.1c	Continue to run the Koori list at the Victims of Crime Assistance Tribunal.	
		4.5.1d	Continue to explore options to ensure young Koories who have witnessed or are victims of violence are referred to appropriate support services [links to Objective 2], and report back to the Aboriginal Justice Forum.	<i>Department of Justice (Koori Justice Unit, Victims Support Agency)</i> Victoria Police

OBJECTIVE 4: REDUCE CONFLICT, VIOLENCE AND VICTIMISATION

		4.5.1e	Investigate strategies to improve the outcomes of Apprehended Violence Orders for victims.	Victoria Police
		4.5.1f	Future action: Explore options for implementing strategies identified in 4.5.1.e above.	
4.5.2	Continue implementing the Justice components of the Indigenous Family Violence 10-Year Plan	4.5.2a	<p><i>The great majority of violent incidents in the Koori community are perpetrated by persons related to or well known to their victims. The Strong Cultures Strong Peoples Strong Families Indigenous Family Violence 10-Year-Plan is the Victorian Government's primary mechanism for addressing family violence in the Koori community. It includes a number of justice components initiated under the AJA2 that need continued support and strengthening. Reporting progress against this strategy occurs under the Victorian Aboriginal Affairs Framework and the biannual Indigenous Family Violence Partnership Forum.</i></p> <p>Support the evaluation of the Koori Family Violence Police Protocols Project and continue to improve Indigenous family violence responses and service delivery at the local level. Ensure Victoria Police's Aboriginal Community Liaison Officers support the provision of the Protocols.</p>	<p>Department of Justice (Koori Justice Unit)</p> <p>Victoria Police</p>
		4.5.2b	Respond to the evaluation findings of the Koori Family Violence Court Support Program located at the Melbourne Magistrates' Court, which provides a culturally-appropriate response to Koori applicants and respondents and their children and families.	Department of Justice (Courts and Tribunal Services)
		4.5.2c	Future action: Explore community based program options for young Koori males and females who display violent and aggressive behaviour and are at risk of becoming future adult perpetrators of violence.	Department of Justice (Courts and Tribunal Services)

OBJECTIVE 4: REDUCE CONFLICT, VIOLENCE AND VICTIMISATION

	Activity	Details	Agency <i>*Lead agency in italics</i>
	(continued) Continue implementing the Justice components of the Indigenous Family Violence 10-Year Plan	4.5.2d <i>The AJA2 evaluation recommended a continued focus on improving justice outcomes, while collaborating across government. The need for better coordination between government departments at a central and a local level was identified.</i> Formalise links between the Regional Aboriginal Justice Advisory Committee/Local Aboriginal Justice Action Committee Network and the Indigenous Family Violence Regional Action Groups in relation to the delivery of family violence prevention initiatives. Ensure annual joint Indigenous Family Violence Regional Action Group/Regional Aboriginal Justice Advisory Committee meetings to improve protocols.	<i>Department of Justice (Koori Justice Unit)</i> & <i>Department of Planning and Community Development (Office of Aboriginal Affairs Victoria)</i> Department of Human Services
4.5.3	Ensure that victims know when perpetrators are being released from prison	4.5.3a Implement initiatives to increase and maintain Koori community awareness of the Victims Register, including engaging higher courts to educate court staff and facilitate referrals.	<i>Department of Justice (Victims Support Agency)</i>
4.5.4	Ensure that family violence programs are responsive to Koories' needs	4.5.4a Ensure the Family Violence Courts are responsive to Koori community needs, and monitor Koori access to them. 4.5.4b Maintain and strengthen the delivery of culturally-appropriate Mandated Men's Programs for Koori men who perpetrate violence towards family members. This will be achieved by ensuring sufficient coverage across the state and linking with potential referral sources including Men's Time Out Centres, Koori Community Alcohol and Drug Resource Centres, and Corrections Victoria's services to Koori men on Community Orders who have been convicted of family-related violence. 4.5.4c Ensure that family violence and victim support services: <ul style="list-style-type: none"> • incorporate strategies to mitigate alcohol and drug misuse in families affected by alcohol-fuelled violence [links to 4.3] • draw on the strengths of families who are doing well • are culturally-appropriate and safe, especially for those delivering front line services • engage specialist service providers to facilitate joint training between the family violence and victim services sectors. 	<i>Department of Justice (Courts and Tribunal Services, Victims Support Agency)</i> Department of Human Services Department of Planning and Community Development Department of Health

Objective 5: Responsive and inclusive services

Responsive and inclusive services are fundamental to the aims of reducing Koori over-representation in the criminal justice system and providing an equitable justice system that is free of racism and discrimination.

Considerable progress in the Victorian justice system has been made in this area over the past decade. One indicator of this is the number of Koories working within the Department of Justice, which has increased from four in mid-2000 to 119 in mid-2012.

The AJA will maintain this forward momentum in a number of ways, some examples of which include ensuring cultural awareness and competency training across the justice sector, supporting Koori tertiary scholarships in relevant fields and implementing the *Koori Employment Strategy 2011-15*.

An important new strategy promoting responsive and inclusive services is *Mingu Gadhaba: Beginning Together*, the Department of Justice's Koori Inclusion Action Plan, which reviews and reforms current service practices to overcome systemic exclusion. Under this strategy, each departmental business unit develops its own Koori Inclusion Action Plan, including measurable targets to facilitate regular monitoring and review.

This objective of the AJA both promotes continuous improvement and supports the activities of the other objectives. AJA3 maintains a focus on high-quality data, research and evaluation relating to Koori contact with the criminal justice system and ensures that Koori Reference Groups, convened by each departmental business unit, develop action plans to monitor progress on AJA3 commitments, and regularly update the Aboriginal Justice Forum.

Strategies

- 5.1 Integrate AJA3 implementation into agency planning processes and operations.
- 5.2 Increase the number of Koories working in the justice system.
- 5.3 Ensure that justice agencies are culturally competent, responsive and inclusive.
- 5.4 Ensure that Koories have access to Koori-specific services.
- 5.5 Increase capacity to ensure high quality data, research and evaluation on Koori contact with the criminal justice system.
- 5.6 Increase the accountability of agencies that deliver justice services to Koories.

OBJECTIVE 5: RESPONSIVE AND INCLUSIVE SERVICES

5.1 Integrate AJA3 implementation into agency planning processes and operations				
	Activity		Details	Agency <i>*Lead agency in italics</i>
5.1.1	Develop and implement AJA Action Plans	5.1.1a	<p>All departmental business units and related statutory authorities with responsibility for AJA initiatives will drive its implementation by developing, implementing and monitoring Action Plans (in partnership with Koori Reference Groups, see 5.1.2 below). All AJA Action Plans will:</p> <ul style="list-style-type: none"> • maximise opportunities for Koori employment and career development • articulate the strategies to be used by business units and agencies to reduce Koori over-representation in the criminal justice system, and how and when they will be implemented • be informed through input from the Local Aboriginal Justice Action Committee/ Regional Aboriginal Justice Advisory Committee network and the Aboriginal Justice Forum • be reviewed annually and evaluated triennially in partnership with the Aboriginal Justice Forum • Include measurable targets to facilitate regular monitoring and review. <p>The Department of Justice Koori Justice Unit will play a coordinating role as Secretariat to the Aboriginal Justice Forum.</p>	<i>All agencies</i> & <i>Department of Justice (Koori Justice Unit)</i>
5.1.2	Strengthen the role and profile of Koori Reference Groups	5.1.2a	<p>All departmental business units and related statutory authorities with responsibility for AJA initiatives will refresh their Koori Reference Groups as needed, so they provide regular updates to the Aboriginal Justice Forum on:</p> <ul style="list-style-type: none"> • the delivery of initiatives under their Action Plans • progress towards making service areas more culturally-inclusive of Koories (see also Koori Inclusion Action Plans under 5.3). 	

OBJECTIVE 5: RESPONSIVE AND INCLUSIVE SERVICES

5.2	Increase the number of Koories working in the justice system			
5.2.1	Implement the Department of Justice Koori Employment Strategy 2011-15	5.2.1a	Implement the Department of Justice <i>Koori Employment Strategy 2011-15</i> to complement the <i>Victorian Aboriginal Public Sector Employment and Career Development Action Plan 2010-2015 - Karreeta Yirramboi</i> .	<i>Department of Justice (People and Culture)</i>
5.2.2	Increase the number of Koories studying in criminal justice-related fields	5.2.2b	Continue to provide tertiary scholarships to Koories undertaking study in a broad range of justice-related fields, examples of which include law, legal studies, social work, psychology and mental health studies.	<i>Department of Justice (People and Culture)</i>
5.2.3	Increase the number of Koories working in law	5.2.3a	Support the Indigenous Law Students and Lawyers Association of Victoria - 'Tarwirri' – which provides a range of services to assist Indigenous law students to graduate and continue working in law.	<i>Department of Justice (Koori Justice Unit)</i>

OBJECTIVE 5: RESPONSIVE AND INCLUSIVE SERVICES

5.3 Ensure that justice agencies are culturally-competent, responsive and inclusive			
	Activity	Details	Agency <i>*Lead agency in italics</i>
5.3.1	Implement Koori Inclusion Action Plans	5.3.1a Under <i>Mingu Gadhaba: Beginning Together</i> , ensure that all relevant justice agencies and statutory authorities deliver Koori Inclusion Action Plans, and provide regular updates to the Aboriginal Justice Forum. Plans need to champion Koori inclusion across the Justice portfolio, to contribute to a culturally-inclusive and responsive justice service system.	<i>Department of Justice</i> (Koori Justice Unit).
5.3.2	Increase the understanding that non-Koories have of Koori culture	5.3.2a Enhance the Department of Justice Koori Cultural Awareness Training program and deliver it to the Justice Executive Committee, supervisors of Koori staff, and staff working in agencies with high numbers of Koori clients including Courts, Corrections Victoria and Infringement Management Enforcement Services.	<i>Department of Justice</i> (People and Culture, Regional and Executive Services Division, Koori Justice Unit)
		5.3.2b Continue to deliver Koori Cultural Awareness Training in the regions, tailored to local issues and needs and including local communities.	
		5.3.2c Future action: Consistent with the evidence base, explore options for expanding Koori Cultural Awareness Training to provide more extensive training and to assess participants' application of new learning into their work practices.	
5.3.3	Develop responses to racism and discrimination across the justice system	5.3.3a Develop strategies to reduce the potential for racist and discriminatory behaviour in the justice system in the areas of service provision and employment.	<i>Department of Justice</i> (People and Culture)
		5.3.3b Ensure procedures and grievance systems for remedying racist and discriminatory behaviour are effective and credible.	

OBJECTIVE 5: RESPONSIVE AND INCLUSIVE SERVICES

5.4		Ensure that Koories have access to Koori-specific services		
5.4.1	Deliver programs that protect the rights of Koories with cognitive disabilities	5.4.1a	<p><i>The Independent Third Person's Program assists persons of any age, who have a cognitive disability (intellectual disability, acquired brain injury or dementia), or a mental illness, during an interview or when making a formal statement. The assisted person may be an alleged offender, a victim or a witness.</i></p> <p>Continue to implement the Independent Third Person program's Koori Strategy, to help ensure Koori people are included in the ongoing development of the program, are recruited as Independent Third Persons and as users of the service have greater access to it.</p>	Office of the Public Advocate
5.4.2	Deliver programs that seek to reduce discrimination experienced by the Victorian Koori community.	5.4.2a	<p><i>The Victorian Equal Opportunity and Human Rights Commission will exercise its powers under the Equal Opportunity Act 2010, Racial and Religious Tolerance Act 2001 and Charter of Human Rights and Responsibilities Act 2006 to:</i></p> <ul style="list-style-type: none"> • address discrimination, sexual harassment and vilification that is experienced by the Victorian Koori community • investigate systemic discrimination, sexual harassment and vilification affecting the Victorian Koori community • inform the Koori community of their rights under the legislation • support the Koori community through key partnerships with community organisations, such as the Victorian Aboriginal Legal Service • conduct research on key issues. <p>Regular reports will be provided to the Aboriginal Justice Forum on program activities and the number and nature of complaints received from Koories.</p>	Victorian Equal Opportunity and Human Rights Commission

OBJECTIVE 5: RESPONSIVE AND INCLUSIVE SERVICES

Activity		Details	Agency <i>*Lead agency in italics</i>
5.4.3	Increase Koories' representation on justice-related boards, committees and tribunals	5.4.3a Continue to maximise Koori participation on Department of Justice and Department of Human Services advisory boards, tribunals, panels and committees. In particular, the government will promote the appointment of Koori men and women to such positions as Bail Justices and to such organisations as the Youth Residential Boards and the Victorian Equal Opportunity and Human Rights Commission and will promote a gender balance for Koori representation on the Youth Parole Board and the Adult Parole Board.	<i>Department of Justice</i> (Koori Justice Unit)
5.5 Increase capacity to ensure high quality data, research and evaluation on Koori contact with the criminal justice system			
5.5.1	Develop a detailed database describing Koori over-representation in the criminal justice system	5.5.1a Continue to develop and maintain a criminal justice system database, drawing on data collected by partner agencies including Victoria Police, Corrections Victoria, Department of Human Services and the Courts. Include data collected through AJA Action Plans [links to Activity 5.1.1] and Koori Inclusion Action Plans [links to Activity 5.3.1]. When fully developed, the database will: <ul style="list-style-type: none"> • inform place, regional and state-based decision making • identify points of the criminal justice system at which Koories are over-represented • provide a valuable resource for research into factors that contribute to Koori over-representation [links to Activity 5.5.3 below] • enable outcome evaluations of place-based initiatives • enable relevant community and justice agencies to access available data. 	<i>Department of Justice</i> (Koori Justice Unit, Corrections Victoria, Courts and Tribunal Services) Department of Human Services Victoria Police
5.5.2	Build the capacity of community organisations to design, monitor and evaluate their programs	5.5.2a Build the capacity of community organisations in program design, monitoring and evaluation, data collection and data improvement projects across the AJA and the justice system, for example through the provision of advice, technical assistance, training workshops or mentoring arrangements. 5.5.2b Embed principles of participatory monitoring and evaluation throughout AJA3 initiatives.	<i>Department of Justice</i> (Koori Justice Unit)

OBJECTIVE 5: RESPONSIVE AND INCLUSIVE SERVICES

5.5.3	Effectively use existing data and evidence, and undertake data improvement projects across AJA3	5.5.3a	Continue to build the evidence base about specific drivers for over-representation of Koories in the justice system, including through partnerships between government agencies, academic institutions and Koori community organisations, for example to: <ul style="list-style-type: none"> investigate issues identified in the AJA2 evaluation as needing further exploration understand the different geographical needs to better target programs. 	
		5.5.3b	Develop a data improvement strategy to: <ul style="list-style-type: none"> address critical gaps in data collection identified in the AJA2 evaluation better understand current barriers to more complete identification of Koori contact with the justice system (from the perspectives of both Koori community and government), including police statistics work collaboratively across government partners to better use existing data, and identify areas for improvement and intervention identify opportunities to coordinate between data collection systems to better track Koories at each point within the justice system. 	

5.6	Increase the accountability of agencies that deliver justice services to Koories			
5.6.1	Ensure that appropriate grievance procedures are available to Koories in justice agencies	5.6.1a	Grievance bodies within the justice system, including those in Victoria Police, Corrections Victoria, Infringement Management and Enforcement Services, and Courts, will: <ul style="list-style-type: none"> record the Indigenous status of complainants in their formal complaint and registration processes develop and deliver Koori specific communication strategies to assist Koori communities to better understand how to utilise their services report to the Aboriginal Justice Forum regularly on the number and nature of Koori complaints received. 	<i>All Department of Justice agencies</i>

OBJECTIVE 5: RESPONSIVE AND INCLUSIVE SERVICES

	Activity	Details	Agency <i>*Lead agency in italics</i>
	(continued) Ensure that appropriate grievance procedures are available to Koories in justice agencies	5.6.1b Promote Ethical Standard Department complaints process to increase confidence and reduce barriers to the Koori community using the complaints process. Promote the Ethical Behaviour and Conduct Inspector position within the Ethical Standard Department, which is responsible for providing information regarding emerging trends in complaint types and behaviour and responding to queries regarding the handling of complaints made by the Koori Community against police. Ensure that the appointed Ethical Behaviour and Conduct Inspector within the Ethical Standard Department is appropriately trained in cultural awareness.	<i>Victoria Police</i>
5.6.2	Ensure the transparency of Koories' conditions in detention	5.6.2a Continue to appoint Aboriginal Official Visitors into the adult prison system.	<i>Department of Justice (The Office of Correctional Services Review)</i>
		5.6.2b Identify and utilise opportunities for Aboriginal visitors to participate in the Independent Visitors Program for youth justice custodial centres.	<i>Commission for Children and Young People</i>
5.6.3	Ensure that Koories are supported when detained in police cells	5.6.3a Strengthen the Aboriginal Community Justice Panel Program to provide a wider and more effective practical advocacy service to Koories detained by the police.	<i>Victorian Aboriginal Legal Service & Victoria Police</i>
5.6.4	Improve the communication of information to relevant parties in the event of a Koori death in custody, including relatives of the deceased person and the Aboriginal Funeral Service	5.6.4a Improve the processes by which relatives are notified in the event of a Koori death in custody in accordance with privacy, legal, policy and practical implications of any policies.	<i>Department of Justice (Corrections Victoria) & Department of Human Services (Youth Justice) & Victoria Police</i>
		5.6.4b Develop a protocol between the State Coroner's Office (Initial Investigations Office) and the Aboriginal Funeral Service, to authorise the release of information regarding the deceased and assist the families of the deceased who have engaged their services.	<i>Coroner's Court of Victoria & Department of Justice</i>

OBJECTIVE 6: STRENGTHEN COMMUNITY JUSTICE RESPONSES AND INCREASE COMMUNITY SAFETY

Objective 6: Strengthen community justice responses and increase community safety

Over the past decade, a strong and active Koori community justice sector has partnered with the Victorian government through the Regional Aboriginal Justice Advisory Committees and Local Aboriginal Justice Action Committees. Created under the AJA, these structures are the primary mechanism for regularly bringing the Koori community and government together and underpin the work of the Aboriginal Justice Forum. The regional and local level partnerships have helped ensure effective local responses to Koori contact across the justice continuum.

Objective 6 further strengthens these processes by capitalising on the regionalisation of justice services, building on the existing place-based approach including the Lake Tyers and Mildura projects, and responding to data that will enable resources to be concentrated in areas of highest need. It also strengthens local community organisations and links them to local government resources and supports.

AJA2 evaluation data indicates Koori over-representation in the prison system has continued to increase in the North and West Metropolitan regions, whereas it has reversed in several other regions of Victoria, largely as a consequence of effective place-based initiatives. Therefore, AJA3 will include the development of a place-based strategy in the North and West metropolitan regions of Melbourne, driven through local community justice structures. Community safety is another priority, and will be promoted through community-led place-based Community Safety Plans and links to crime prevention committees.

By strengthening Koori community involvement in driving solutions at the local level, the fundamental aim of the AJA can be achieved.

Strategies

- 6.1 Support the provision of local, place-based approaches and solutions to crime and violence prevention, diversion, rehabilitation and re-integration.
- 6.2 Prioritise community safety planning as a place-based crime prevention approach.
- 6.3 Develop a place-based strategy covering the North and West Metropolitan regions.

OBJECTIVE 6: STRENGTHEN COMMUNITY JUSTICE RESPONSES AND INCREASE COMMUNITY SAFETY

6.1 Support the provision of local, place-based approaches and solutions to crime and violence prevention, diversion, rehabilitation and re-integration				
	Activity	Details	Agency <i>*Lead agency in italics</i>	
6.1.1	Ensure that Koori communities and government agencies have the capacity to deliver local solutions	6.1.1a	Develop linkages between Regional Aboriginal Justice Advisory Committees/Local Aboriginal Justice Action Committees and other local level committees such as the Local Indigenous Networks to enhance capacity to develop integrated solutions and responses. Continue to support collaboration, coordination, engagement and problem solving between local communities and government stakeholders in place-based projects in Lake Tyers and Mildura.	<i>Department of Justice</i> (Koori Justice Unit, Regional and Executive Services Division)
		6.1.1b	Support partnerships between justice services, local alcohol and drug services, and community health, local government and local Koori community organisations, to address alcohol and drug use, misuse and treatment. Ensure coordinated and appropriate responses and strategies are developed in consultation with Koori communities.	<i>Department of Justice</i> (Regional and Executive Services) & <i>Department of Health</i>
		6.1.1c	Explore opportunities to coordinate cross-agency training in areas of locally-identified need, e.g. lateral violence, police or alcohol diversion options, men's/women's groups for community-based offenders, transition support options for parolees (link to objectives 3 and 4).	
		6.1.1d	Support and strengthen strategies to effectively reach rural and outlying areas, e.g. mobile services, building on existing services.	<i>Department of Justice</i> (Regional and Executive Services Division)
		6.1.1e	Explore social media as a strategy for raising community awareness and encouraging local involvement.	

OBJECTIVE 6: STRENGTHEN COMMUNITY JUSTICE RESPONSES AND INCREASE COMMUNITY SAFETY

6.1.2	Strengthen the role of the Regional Aboriginal Justice Advisory Committees and Local Aboriginal Justice Action Committees and Regional Office support for them	<p>6.1.2a <i>The AJA2 evaluation identified the need to maintain active committees that strongly engage the community and provide opportunities for collaborative problem solving. The community has identified a number of activities to strengthen Regional Aboriginal Justice Advisory Committees and Local Aboriginal Justice Action Committees to help achieve this.</i></p> <p>Strengthen meeting processes including timelines, reporting expectations, and consistency of senior stakeholder representation.</p> <p>6.1.2b Six weeks before each Aboriginal Justice Forum, convene a meeting of the Koori Caucus and a meeting of the Regional Aboriginal Justice Advisory Committee Chairs without government partners, to strengthen the community voice.</p> <p>6.1.2c Explore ways to more actively involve local community, e.g. attach Regional Aboriginal Justice Advisory Committee meetings to a community event; convene 'community days' or 'relationship-building days', link with existing Koori men's groups, women's groups and youth groups.</p>	<i>Department of Justice (Regional and Executive Services Division, Koori Justice Unit)</i>
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OBJECTIVE 6: STRENGTHEN COMMUNITY JUSTICE RESPONSES AND INCREASE COMMUNITY SAFETY

	Activity	Details	Agency <i>*Lead agency in italics</i>
		6.1.2d Strengthen Department of Justice Regional Offices' support for Regional Aboriginal Justice Advisory Committee Executive Officers and Regional Aboriginal Justice Advisory Committee processes and help maximise use of Regional Aboriginal Justice Advisory Committees when managing regional priorities that affect Koories including: <ul style="list-style-type: none"> • regular engagement by Regional Directors in Regional Aboriginal Justice Advisory Committee processes • strengthening partnerships and joint activities with other government departments • facilitating links between Regional Aboriginal Justice Advisory Committees and regional Department of Justice programs and services in targeted areas of local need (e.g. Koori-specific community work sites, alcohol and drug services) • ensuring alignment between Regional Aboriginal Justice Advisory Committee Plans and Regional Plans • ensuring support of Regional Aboriginal Justice Advisory Committee is a regional staff performance indicator. 	
6.1.3	Ensure Koori communities continue to engage with the police to further increase their positive impact on local policing practices	6.1.3a Continue to ensure police maintain strong engagement with Local Aboriginal Justice Action Committees and Regional Aboriginal Justice Advisory Committees. 6.1.3b Ensure police are strongly engaged in the development of Koori Community Safety Plans (links to 6.2 below), including investigating ways to enhance the contribution of community policing to local Koori Community Safety Plans. 6.1.3c Utilise Local Aboriginal Justice Action Committee and Regional Aboriginal Justice Advisory Committee mechanisms to negotiate and promote policing strategies and protocols with regard to alcohol, while ensuring the safety of the Koori community is maintained (links to 1.2.2).	<i>Victoria Police</i>

OBJECTIVE 6: STRENGTHEN COMMUNITY JUSTICE RESPONSES AND INCREASE COMMUNITY SAFETY

6.1.4	Ensure that Koori communities are informed about justice-related issues	6.1.4a	Ensure the Local Aboriginal Justice Action Committee network coordinates and promotes the delivery of Koori-responsive justice-related information to Koori communities.	<i>Department of Justice</i> (Koori Justice Unit, Strategic Communication Branch) & <i>all Justice agencies</i>
		6.1.4b	Take the Justice buses to community events to provide a mobile justice service, with particular attention to geographically isolated areas.	<i>Department of Justice</i> (Regional and Executive Services Division, Koori Justice Unit)

6.2	Prioritise community safety planning as a place-based crime prevention approach			
6.2.1	Develop localised place-based Koori Community Safety Plans	6.2.1a	Work with Regional Aboriginal Justice Advisory Committees and Local Aboriginal Justice Action Committees to develop and subsequently implement Community Safety Plans in priority locations. Ensure the plans are supported by relevant government agencies and community groups, and include: <ul style="list-style-type: none"> • primary crime and violence prevention (e.g. management of public events, safe points of contact for people to report concerns) • alcohol management plans and linkages to local alcohol and drug action plans • protocols, services and support for responding to crime and violence • publicity and community education about the plans • simple data collection systems to facilitate future evaluation. 	<i>Department of Justice</i> (Regional and Executive Services Division, Koori Justice Unit, Victims Support Agency) & <i>Victoria Police</i> & <i>Department of Human Services</i> & <i>Department of Health</i>
		6.2.1b	Ensure Community Safety Planning processes establish strong links with regional Crime Prevention Committees.	<i>Department of Justice</i> (Koori Justice Unit, Crime Prevention Unit)
		6.2.1c	Future action: Evaluate the demonstration Community Safety Plans and consider options to expand to more locations, using a place-based approach.	<i>Department of Justice</i> (Koori Justice Unit)

OBJECTIVE 6: STRENGTHEN COMMUNITY JUSTICE RESPONSES AND INCREASE COMMUNITY SAFETY

6.3 Develop a place-based strategy covering the North and West Metropolitan regions			
	Activity	Details	Agency <i>*Lead agency in Italics</i>
6.3.1	Establish the key issues and pressure points in the North and West Metropolitan regions that account for the continuing high levels of Koori over-representation in prison	<p>6.3.1a Develop a place-based strategy covering the North and West Metropolitan regions</p> <p><i>The AJA2 evaluation identified that Koori over-representation in the prison system is continuing to increase in the North Metropolitan region and to a lesser extent the West Metropolitan region, unlike several other regions of Victoria where sustained initiatives have been implemented resulting in a reverse in the trend.</i></p> <p><i>There is an urgent need to identify the reasons for the worsening trend in the North and West Metropolitan regions, and coordinate action to reverse this trend.</i></p> <p>Bring together North and West Metropolitan Regional Aboriginal Justice Advisory Committees and relevant Department of Justice staff to review existing data on Koori contact with the criminal justice system in the North and West Metropolitan regions to explore the following key issues and pressure points:</p> <ul style="list-style-type: none"> • Key issues: Include consideration of larger population size and possibly a more transient, diverse and dispersed population, insufficient urban infrastructure (housing, public transport etc), greater access to criminogenic influences, higher level of burden on existing service structures, fragmentation/insufficient coordination between Koori community organisations and other services • Pressure points: Include consideration of sobering-up options, bail options, more serious offence profiles, few affordable housing and transitional options. 	<i>Department of Justice (Regional and Executive Services Division, Koori Justice Unit)</i>

OBJECTIVE 6: STRENGTHEN COMMUNITY JUSTICE RESPONSES AND INCREASE COMMUNITY SAFETY

		<p>6.3.1b Bring together the North and West Metropolitan Regional Aboriginal Justice Advisory Committees, senior representatives of Koori community organisations, relevant government agencies and others with an investment in the northwest metropolitan area, and:</p> <ul style="list-style-type: none"> • share information about key issues and pressure points (from 6.2.1.1) • showcase existing initiatives that are making a positive difference in the North and West Metropolitan regions • undertake a SWOT (strengths, weaknesses, opportunities and threats) analysis to determine reasons for the identified problem of service fragmentation/lack of coordination between existing services in the northwest, and identify potential solutions • recommend concrete measurable actions to underpin a North and West Metropolitan Place-Based Strategy with a first phase based on more effective utilisation of existing services. 	<p><i>Department of Justice (Regional and Executive Services Division, Koori Justice Unit)</i></p>
6.3.2	Develop a North and West Metropolitan place-based strategy to address Koori over-representation in the justice system.	<p>6.3.2a The Department of Justice regional offices work with the North and West Metropolitan Regional Aboriginal Justice Advisory Committees to drive the place-based strategy.</p> <p>6.3.2b Develop pilot initiatives that coordinate or build on existing resources in government and community to tackle the most acute of the identified pressure points. Build in mechanisms to ensure community and government support.</p> <p>6.3.2c Future action: Evaluate the North and West Metropolitan regions' place-based strategy and respond to the findings.</p>	<p><i>Department of Justice (Regional and Executive Services Division, Koori Justice Unit)</i></p> <p><i>Department of Justice (Koori Justice Unit)</i></p>

Part 5: Additional information and appendices

List of acronyms and glossary

The following is a list of commonly used acronyms and terms related to the Aboriginal Justice Agreement:

- ABS** – Australian Bureau of Statistics
- ACCHO** – Aboriginal Controlled Community Health Organisation
- ACCO** – Aboriginal Controlled Community Organisation
- ACJP** – Aboriginal Community Justice Panel
- ACLO** – Aboriginal Community Liaison Officer
- AFVPLS** – Aboriginal Family Violence Prevention and Legal Service
- AIHW** – Australian Institute of Health and Welfare
- AJA** – Aboriginal Justice Agreement
- AJF** – Aboriginal Justice Forum
- ATSI** – Aboriginal or Torres Strait Islander
- AWO** – Aboriginal Wellbeing Officers
- CAT** – Cultural Awareness Training
- CCO** – Community Corrections Order
- CCS** – Community Correctional Services
- CIP** – Community Initiatives Program
- CISP** – Courts Integrated Service Program
- COAG** – Council of Australian Governments
- CPU** – Crime Prevention Unit
- CSAC** – Corrections Services Administrators Conference
- EBAC** – Ethical Behaviour and Conduct
- IFVPPF** – Indigenous Family Violence Partnership Forum
- IFVRAG** – Indigenous Family Violence Regional Action Group
- ILCCO** – Indigenous Leading Community Corrections Officer
- IMES** – Infringement Management and Enforcement Services
- ISO** – Indigenous Services Officers
- Karreeta Yirramboi** – Victorian Public Sector Aboriginal Employment and Career Development Action Plan
- KCAT** – Koori Cultural Awareness Training
- KESO** – Koori Engagement Support Officers
- KIAP** – Koori Inclusion Action Plan

LIST OF ACRONYMS AND GLOSSARY

- KIBS** – Koori Youth Intensive Bail Support Program
- KJU** – Koori Justice Unit
- KONNECT** – An intensive transitional support program
- Koolin Balit** – Victorian Government strategic directions for Aboriginal health 2012-22
- KOSMP** – Koori Offender Support and Mentoring Program
- KTO** – Koori Transition Officers
- KYC** – Koori Youth Council
- LAECG** – Local Aboriginal Education Consultative Groups
- LAJAC** – Local Aboriginal Justice Action Committee
- LGA** – Local Government Area
- LIN** – Local Indigenous Network
- LINKOUT** – An intensive transitional support program
- LJWP** – Local Justice Worker Program
- MEF** – Monitoring and Evaluation Framework
- Mingu Gadhaba** – The Department of Justice Koori Inclusion Action Plan
- NAIDOC** – National Aboriginal Islander Day Observance Committee
- NILJF** – National Indigenous Law and Justice Framework
- NIRA** – National Indigenous Reform Agreement
- OBIP** – Overarching Bilateral Indigenous Plan
- OAAV** – Office of Aboriginal Affairs Victoria
- PALO** – Police Aboriginal Liaison Officer
- RAJAC** – Regional Aboriginal Justice Advisory Committee
- RES** – Regional and Executive Services
- SAC** – Sentencing Advisory Council
- SALO** – Sheriff Aboriginal Liaison Officer
- SEWB** – Social and Emotional Wellbeing
- Tarwirri** – Indigenous Law Students and Lawyers Association of Victoria
- VAAF** – Victorian Aboriginal Affairs Framework
- VACCHO** – Victorian Aboriginal Community Controlled Health Organisation
- VAEAI** – Victorian Aboriginal Education Association Inc.
- VAJAC** – Victorian Aboriginal Justice Advisory Committee
- VALS** – Victorian Aboriginal Legal Service
- VEOHRC** – Victorian Equal Opportunity and Human Rights Commission
- VOCAT** – Victims of Crime Assistance Tribunal
- VPS** – Victorian Public Service
- VSA** – Victims Support Agency
- Wannik** – Koori education strategy
- WISP** – An intensive transitional support program
- WNLP or Wugunggo Ngalu** – Wugunggo Ngalu Learning Place, a culturally-appropriate correctional facility
- Wurreker** – Koori education strategy

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Appendices

Appendix 1: Progress against AJA2 Objectives




The below diagrams represent the approximate progress to achieving each objective. While progress has been uneven, real progress is being made.

As such, results that for example indicate 25 per cent progress should be seen as just that: 25 per cent progress towards the objective, not 75 per cent underachievement.

For example,  indicates that the objective is approximately ¼ of the way to being fully achieved.

Phase 2 Objective	Progress to date (Nous assessment)
Overall: To reduce Koori over-representation in the justice system.	 <ul style="list-style-type: none"> • Non-metropolitan regions have seen a reduction in over-representation in prison; in some cases >25 per cent. • Metropolitan regions have worsened or stayed the same. • Overall over-representation has worsened, but by less than would have been expected without the Aboriginal Justice Agreement Phase 2. • Victoria continues to have lower levels of over-representation in the justice system than most other Australian States and Territories. • More can be done in all regions across Victoria.
Objective 1: Crime prevention and early intervention.	 <ul style="list-style-type: none"> • Contact with police for youth under 17 years old has reduced overall since 2002, although there have been some variations in each year. • The proportion of Koories under 18 years old who receive a caution when they come into contact with police has remained relatively flat.
Objective 2: Diversion/ Strengthening alternatives to imprisonment.	 <ul style="list-style-type: none"> • Some regions have seen improvements in the proportion of Koories sentenced to Community Based Orders rather than prison. This change has explained much of the change in over-representation in prison • Overall, currently Koories are less likely to be sentenced to Community Based Orders compared to prison than they were in 2005. • Youth are now more likely to be sentenced to other orders compared to youth detention than they were in 2005. • Community Based Order completion rates have improved.
Objective 3: Reduce Re-offending	 <ul style="list-style-type: none"> • Re-offending has reduced since 2005. • However, the rate of re-offending is still high and contributes to Koori over-representation in prison. There is more to do.

APPENDICES

Objective 4: Reduce victimisation		<ul style="list-style-type: none"> • Changes in underlying victimisation rates are almost impossible to discern, because the proportion of victims who report crimes has almost certainly increased over time. • We can infer changes in victimisation from changes in crime rates, which have worsened over time as discussed above, however limitations in data make it hard to know whether victims are Koori not. • Services for Koori victims have improved dramatically.
Objective 5: Responsive and inclusive services		<ul style="list-style-type: none"> • This objective has attracted the most Aboriginal Justice Agreement funding in Phase 2 and has had the most success. Justice agencies are now significantly more responsive and inclusive of Koori needs than they were before. • The level of improvement varies across regions and locations and across different agencies.
Objective 6: Strengthen community justice responses		<ul style="list-style-type: none"> • Community empowerment has attracted significant investment and strengthened community justice responses, with expansion of the Regional Aboriginal Justice Advisory Committees, creation of Local Aboriginal Justice Action Committees, the Frontline and Community Initiative Program grants and other initiatives. • Koori justice programs are now designed and delivered by or in close consultation with the Koori community.

Appendix 2: Key access criteria for effective service design

Cultural safety	The service provider understands client needs including cultural needs
Affordability	Clients can afford to use required services
Convenience	Clients can get to the service easily
Awareness	Current and potential clients are informed about the availability of the service and its value
Empowerment	Current and potential clients know which service they are entitled to seek
Availability	Service that a client needs are accessible
Respect	The service provider treats the client with respect

(Source: Victorian Aboriginal Affairs Framework 2013-18)





Burra Lotjpa Dunguludja

Victorian Aboriginal
Justice Agreement

Phase 4

A partnership between the
Victorian Government and
Aboriginal Community





Burra Lotjpa Dunguludja **(Senior Leaders Talking Strong)**

Burra Lotjpa Dunguludja means '*Senior Leaders Talking Strong*' in Yorta Yorta language. We offer our sincere thanks to Aunty Zeta Thomson, a Yorta Yorta/Wurundjeri Elder, and member of the Aboriginal Justice Caucus for providing a name that reflects the importance of the enduring partnership that supports this Agreement.

Advice to our readers

To our Aboriginal and Torres Strait Islander readers, we advise that this document may include photos, quotations and/or names of people who are deceased.

Aboriginal and Torres Strait Islander peoples living in Victoria and involved in the justice sector have diverse cultures. The term 'Aboriginal and Torres Strait Islander' is used when referring to Aboriginal and Torres Strait Islander people across Australia. When referring to the Aboriginal and Torres Strait Islander people of Victoria, the term 'Aboriginal' is used. Other terms such as 'Koori', 'Koorie' and 'Indigenous' are retained in the names of programs, initiatives, publication titles and in reference to published data.

The word family has many different meanings. Use of the words 'family' and 'families' is all encompassing and acknowledges the variety of relationships and structures that can make up a family unit, including family-like or care relationships and extended kinship structures.

The Kurnai Shield and the AJA

Kurnai Shield © 2002 by artist Ms Eileen Harrison, a Kurnai woman from Gippsland

"The markings on this shield represent our people and our country".

Kurnai Shield is an acrylic on canvas that was created in 2002 and featured in the Mallacoota Arts Festival that year. In 2003, the artwork was purchased by the Department of Justice and Regulation to feature as the visual emblem of the Victorian Aboriginal Justice Agreement (AJA). Since then it has featured prominently on all associated documents and publications, including the AJA, AJA2 and AJA3 booklets.

In 2010, Ms Harrison agreed to allow a stylised version of the artwork to be created, enabling increased promotion of the AJA by the Department of Justice and Regulation. Aboriginal designer Marcus Lee developed the 'Koori Strong, Koori Proud, Koori Justice' emblem featuring a stylistic representation of the Kurnai Shield, signifying the evolution of the AJA and coinciding with its 10th Anniversary.

This document is different to previous Victorian Aboriginal Justice Agreements. It is intended to provide a summary of the most important aspects of the Agreement with further detail provided alongside this information in the digital version of the Agreement, which can be found at www.aboriginaljustice.vic.gov.au

Acknowledgements

We, the partners of this Agreement, acknowledge Aboriginal and Torres Strait Islander people as the First Peoples and Traditional Owners and custodians of the land and waterways upon which our lives depend. We acknowledge and pay our respects to ancestors of this country, Elders, knowledge holders and leaders – past, present and emerging. We extend that respect to all Aboriginal and Torres Strait Islander peoples. We recognise that Aboriginal and Torres Strait Islander communities are steeped in culture and lore having existed within Australia continuously for some 65,000 years. We acknowledge the ongoing leadership of Aboriginal communities across Victoria in striving to build on these strengths to address inequalities and improve Aboriginal justice outcomes.

Victorian Aboriginal communities and peoples are culturally diverse, with rich and varied heritages and histories both pre and post-invasion. The impacts of colonisation – while having devastating effects on the traditional life of Aboriginal Nations – have not diminished Aboriginal people's connection to country, culture or community. These rich and varied histories need to be understood and acknowledged by all Victorians, to truly understand the resilience and strength of previous generations, as well as the history of the fight for survival, justice and country that has taken place across Victoria and around Australia.

Aboriginal communities across Victoria continue to build upon these strengths from day to day, demonstrating to governments of all persuasions the vital role of connectedness – to country, community and culture – in improving Aboriginal lives and enriching Victoria. At the heart of these processes are Aboriginal families.

The majority of Aboriginal people never have, and never will become involved in the criminal justice system as victims and/or offenders. However, it is important to recognise that the historical legacy of colonisation is still felt today and that the disruption experienced by Aboriginal families left many marginalised, disadvantaged and vulnerable to contact with the justice system. For the minority of Aboriginal people who do become involved in the criminal justice system, their experiences not only adversely affect the individuals involved, but significantly impact their families and the communities to which they belong.

As we work together to improve Aboriginal justice outcomes, support families and make communities safer, we acknowledge the invaluable contributions of all those who have gone before us, who have fought tirelessly for the rights of Aboriginal people including the right to self-determination, and paved the way for this Agreement.

We give our gratitude to the many Aboriginal people who generously contributed their wisdom, experience, expertise and cultural authority during the development of this Agreement. We also acknowledge the valuable input of many non-Aboriginal people who generously contributed to its development.

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Acronyms

ABS	Australian Bureau of Statistics
ACCOs	Aboriginal Community Controlled Organisations
ACFI	Aboriginal Community Fines Initiative
AFM	Affected family member
AIHW	Australian Institute of Health and Welfare
AJA	Aboriginal Justice Agreement
AJA1	The first Victorian Aboriginal Justice Agreement
AJA2	Victorian Aboriginal Justice Agreement – phase 2
AJA3	Victorian Aboriginal Justice Agreement – phase 3
AJA4	Victorian Aboriginal Justice Agreement – phase 4
AJC	Aboriginal Justice Caucus
AJF	Aboriginal Justice Forum
CCO	Community Correction Order
CISP	Courts Integrated Services Program
CSV	Court Services Victoria
DET	Department of Education and Training
DHHS	Department of Health and Human Services
DJR	Department of Justice and Regulation
DPC	Department of Premier and Cabinet
KJU	Koori Justice Unit
KWDP	Koori Women's Diversion Program
LAJAC	Local Aboriginal Justice Action Committee
NATSISS	National Aboriginal and Torres Strait Islander Social Survey
OTH	Other parties in family incident reports
RAJAC	Regional Aboriginal Justice Advisory Committee
RCIADIC	Royal Commission into Aboriginal Deaths in Custody
SALO	Sheriff's Aboriginal Liaison Officer Program
VAAF	Victorian Aboriginal Affairs Framework
VCAT	Victorian Civil & Administrative Tribunal
VGAAR	Victorian Government Aboriginal Affairs Report
VOCAT	Victims of Crime Assistance Tribunal
WDP	Work and Development Permit Scheme

Attorney-General's Foreword

Burra Lotjpa Dunguludja or *Senior Leaders Talking Strong* is the fourth phase of the Victorian Aboriginal Justice Agreement (AJA). It is an important step in the long and proud history of the Aboriginal community and Victorian Government working in partnership to improve justice outcomes and family and community safety. In this phase of the Agreement we strengthen and give further expression to the Victorian Government's commitment to self-determination.

From the outset, development of *Burra Lotjpa Dunguludja* has been framed through the lens of self-determination and what it means in the justice system. It is important to recognise that the AJA was created in response to the Royal Commission into Aboriginal Deaths in Custody, and has always embraced its core principles of self-determination and self-management, and arrest and imprisonment as sanctions of last resort.

The first AJA was struck in 2000, and was the first Aboriginal Justice Agreement in the country. Eighteen years on, it's the longest running continuous agreement, an achievement of which we can be rightfully proud. During that time, trust has been built, relationships have matured, and structures and processes for doing business have been put in place, producing many lasting and profound changes to the justice system.

The partnership between the Aboriginal community and government is reflected in everything we do - from design and development, to the implementation of new activities, to monitoring and evaluating what's working and what's not.

Burra Lotjpa Dunguludja brings new challenges and requires us to renew our efforts to address over-representation of Aboriginal people in the justice system. Despite the focus and hard work of both the Aboriginal community and government, we need to continue to tackle the over-representation of Aboriginal people in the justice system, and to close the gap by 2031.

The commitment to self-determination by this government represents a chance for a new effort to tackle these complex challenges. Self-determination is the only policy approach to produce effective and sustainable outcomes for Indigenous peoples around the world.

To promote Aboriginal self-determination and provide further support to reduce over-representation of Aboriginal people in the justice system, the Andrews Labor Government is pleased to provide \$40.3 million to support initiatives to be implemented under *Burra Lotjpa Dunguludja*. This funding includes:

- \$15 million to expand existing community-based justice programs and services and develop new community designed and led approaches to reduce Aboriginal involvement in the justice system;
- \$12.3 million for a range of court-based initiatives to enable greater Aboriginal participation in civil, criminal and coronial settings;
- \$10.8 million to target over-representation in Victoria's youth justice system by extending the community-based Koori Youth Justice program, and examining the cases of about 250 young people to identify the underlying causes for their offending; and
- \$2.2 million to expand the Statewide Indigenous Arts in Prisons and Community Program.

I would like to thank the Aboriginal Justice Caucus for their outstanding leadership and contribution to enhancing our understanding of how Aboriginal self-determination might be more fully expressed in the justice system. They have worked tirelessly in the development of *Burra Lotjpa Dunguludja* to shape the vision and define the outcomes we will strive to achieve under this Agreement.

The Victorian Government has been guided by the Aboriginal community towards new approaches to meet the challenge of Aboriginal over-representation in the justice system. I encourage all who work under the Agreement to meet this challenge with renewed commitment as we embark on the next phase of the Agreement.

The Hon Martin Pakula MP
Attorney-General

Aboriginal Justice Caucus Co-Chairs' Foreword

We are pleased on behalf of the Aboriginal Justice Caucus to present *Burra Lotjpa Dunguludja – Senior Leaders Talking Strong*. This is an Agreement that, more than ever before, has been shaped by Aboriginal people in their pursuit of self-determination.

The launch of this new Agreement marks the 18th anniversary of the first Victorian AJA. In that time we have seen great change in how we approach justice for the Aboriginal community in Victoria. The earlier Agreements broke ground with many important developments, from the original landmarks of the AJA partnership structure and foundation of Koori Courts, to development of liaison roles within Victoria Police and Sheriffs and a raft of programs and workers to support improved justice outcomes.

The fourth phase of the Victorian AJA builds on this solid foundation. The two drivers of the Agreement: to continue to address Aboriginal over-representation across the justice system, and to progress self-determination as the core policy approach, will help support us to achieve our vision and goals.

The Aboriginal Justice Caucus has explored and defined what self-determination means to us in the justice context, and this Agreement reflects our long term vision for an Aboriginal community-controlled justice system. This fits in with the broader movement toward Aboriginal self-determination in Victoria and Treaty work underway. Self-determination is seen in many ways in this Agreement, including the focus on family, community, culture and country.

We can expect to see more change in the way the AJA is delivered over its lifetime. In recent years, the Aboriginal Justice Caucus has grown in its role to become the main leadership body for community on justice issues. We can expect this growth to continue as the partnership also changes. The partnership is a core feature of the series of Agreements, and will remain an important and enduring part of the story. As self-determination grows, the Aboriginal community will assume more and more responsibility and influence to deliver services in a way that works for us, and we are encouraged to see government commit to adapting to the changing balance of this relationship. There is much more work to be done, but we are in a great position to keep moving toward an even stronger future.

The strategies and opportunities contained in this Agreement are designed to strengthen Aboriginal oversight of justice outcomes for Aboriginal people, and to focus more than ever before on the important roles of family and therapeutic, cultural healing to tackle offending. This is particularly important for young people. The Aboriginal Justice Caucus stands with other concerned groups in the community in calling for national change to the age of criminal responsibility, believing that young offenders, in particular very young offenders should be treated therapeutically as is the case in other countries, rather than through the criminal justice system.

Critical to reducing offending is economic independence and stability for Aboriginal families. The Aboriginal Justice Caucus congratulates the Victorian Government on its move during 2018 to prevent release of historical criminal offences that were ascribed to children of the stolen generations. These children were effectively criminalised for being removed from their families. This is a step in the right direction. The Aboriginal Justice Caucus looks forward to working towards a more consistent approach to spent convictions so that offending which has long since been dealt with, ceases to impede the economic prospects of many Aboriginal people.

We would like to thank the many people who work with Caucus on this important undertaking, including community members and leaders; Regional Aboriginal Justice Advisory Committee (RAJAC) and Local Aboriginal Justice Action Committee (LAJAC) chairpersons, members and executive officers; members of the Aboriginal Justice Forum; and Ministers, public sector leaders and staff. This collaborative support and effort keeps the Agreement moving, and we are grateful for the help we receive to keep Caucus and community at the centre of the partnership. We are proud of the work that this Agreement continues, and look forward to working to further our vision for a self-determining, strong and proud Aboriginal community.

Tony Lovett and Marion Hansen
Aboriginal Justice Caucus Co-Chairs

Burra Lotjpa Dunguludja at a glance

Vision	Aboriginal people have access to an equitable justice and upholds their human, civil, legal and cultural rights	
Context	Key challenge: Over-representation of Aboriginal people in	
	Key policy focus: Growing self-determination	
Domains Goals	<p data-bbox="523 913 903 1048">Strong and safe Aboriginal families and communities</p> <div data-bbox="501 1149 924 1272"> <p data-bbox="531 1171 893 1245">Aboriginal families are strong and resilient</p> </div> <div data-bbox="501 1301 924 1424"> <p data-bbox="531 1323 893 1397">Aboriginal communities are safer</p> </div>	<p data-bbox="1086 913 1520 1048">Fewer Aboriginal people in the criminal justice system</p> <div data-bbox="1080 1149 1509 1352"> <p data-bbox="1114 1171 1476 1321">Aboriginal people are not disproportionately worse off under policies and legislation</p> </div> <div data-bbox="1080 1382 1509 1585"> <p data-bbox="1161 1404 1430 1554">Fewer Aboriginal people enter the criminal justice system</p> </div> <div data-bbox="1080 1615 1509 1818"> <p data-bbox="1129 1637 1461 1787">Fewer Aboriginal people progress through the criminal justice system</p> </div> <div data-bbox="1080 1848 1509 2051"> <p data-bbox="1139 1870 1452 2020">Fewer Aboriginal people return to the criminal justice system</p> </div>

system that is shaped by self-determination, and protects

the criminal justice system

**A more effective
justice system with
greater Aboriginal
control**

**The needs of
Aboriginal clients are
met through a more
culturally informed
and safe system**

**A strong and effective
Aboriginal community
controlled justice
sector**

**Greater self-
determination in the
justice sector**

**Greater
accountability for
justice outcomes**

**Greater Aboriginal
community leadership
and strategic decision
making**

Victorian Aboriginal Justice Agreement

The first Victorian Aboriginal Justice Agreement (AJA1 2000–2006) was developed in response to recommendations from the 1991 Royal Commission into Aboriginal Deaths in Custody (RCIADIC) and subsequent 1997 National Ministerial Summit on Indigenous Deaths in Custody. The Victorian AJA is a long-term partnership between the Aboriginal community and the Victorian Government. The signatories of the Agreement are committed to working together to improve Aboriginal justice outcomes, family and community safety, and reduce over-representation in the Victorian criminal justice system. Each subsequent phase of the AJA has built upon its predecessors (AJA2 2006–2012, AJA3 2013–2018) to further improve justice programs and services for Aboriginal people.

Building on a robust foundation

The 18-year AJA partnership between government and the Victorian Aboriginal community provides a robust foundation to build upon. Professor Chris Cunneen, a leading criminologist specialising in Indigenous justice, noted in his 2010 study into the role of Indigenous Justice Agreements nationally that “the Victorian AJA structure has been independently evaluated, with Indigenous input, as being effective in building, and embodying the goals of effective partnerships.”¹ The AJA is the longest-running agreement of its kind in Australia and has enabled the establishment of significant initiatives. These include Aboriginal programs, positions, plans and business units that operate specifically to address the needs of the Victorian Aboriginal community. The AJA’s wide-reaching impacts, along with its strong partnerships, are its greatest strength.

The evaluation of AJA3 found the AJA partnership has reached a level of maturation not replicated elsewhere. It has been instrumental in effecting real change in terms of embedding cultural awareness and the adoption of an Aboriginal lens for the development of new strategies, policies and initiatives. It has facilitated and enabled the development of strong and durable relationships between agencies and with members of the Victorian Aboriginal community. The partnership has evolved and there are now high levels of trust between the partners. This has not led to complacency on the part of any of the partners, and there remains a high demand for accountability and action.²

Strong Aboriginal leadership and voice

Critical to the development of the AJA was the Victorian Aboriginal Justice Advisory Committee. Under the leadership of its Chair, the late Dr Alf Bamblett, the Committee worked tirelessly with government and paved the way for the AJA as it exists today. This bold leadership set the foundations for an amplified Aboriginal voice at both local and state levels, exemplified through the Koori Caucus, now known as the Aboriginal Justice Caucus. The Aboriginal Justice Caucus, a self-determining body, has now been in existence for 18 years and staunchly represents the voices and issues of Aboriginal communities and the Aboriginal community sector. Strong leadership has also driven AJA3 over the past five years in the regions. The Caucus members play a crucial role as the conduit between community and government and between the wider community and the RAJACs, which they chair.

The Victorian Aboriginal community continues to demonstrate its strength and resilience, despite facing significant challenges. As partners to the AJA, the community remains committed to improving outcomes through innovative approaches that build on community strengths. The community takes a holistic view of wellbeing, which considers the impact on the collective and not just the individual. As the 2017 report on Aboriginal self-determination and the Victorian justice system notes, “there is enormous capability and expertise in the Aboriginal community that is waiting to be utilised”.³

Our journey to self-determination in justice

While building on the previous Agreements and successful initiatives implemented under them, *Burra Lotjpa Dunguludja* reflects current Aboriginal community aspirations for greater self-determination and significant structural and system change. This means realising Aboriginal aspirations for change, in particular progressing self-determination towards a justice system which values, promotes and requires greater involvement of Aboriginal communities in decision-making, program design and delivery.

The importance of self-determination

The Victorian Government is committed to self-determination as the guiding principle in Aboriginal affairs, and government heard directly from Victorian Aboriginal communities about their desire for greater self-determination within the justice system. Work towards self-determination and Treaty is creating a new relationship between the Victorian Government and Aboriginal communities, which will empower Aboriginal communities to achieve long-term generational change and improved outcomes.

The Victorian Government's work on self-determination is guided by the United Nations Declaration on the Rights of Indigenous Peoples, which defines self-determination as a range of collective rights to determine one's political status and economic, social and cultural development. These include rights to non-discrimination, cultural integrity, control over land and resources, social welfare and development and self-government.⁴

The 2017 report on Aboriginal self-determination and the Victorian justice system, prepared for the Aboriginal Justice Caucus by the Jumbunna Institute for Indigenous Education and Research confirms that:

"The evidence is settled that self-determination is the only strategy that has generated the sustainable wellbeing – cultural, physical, spiritual, economic and social – that Aboriginal and Torres Strait Islander communities and the broader community desire. Self-determination relates to the capacity of the Aboriginal community itself to determine its preferred future and to create the human, institutional and financial infrastructure to bring those aspirations into being".⁵

The Aboriginal Justice Caucus has been clear in stating that **Aboriginal self-determination is a matter for Aboriginal people**. Therefore, the process of furthering self-determination in justice must be led by Aboriginal people in Victoria.

In terms of government policy, there are clear reasons why embedding Aboriginal self-determination is the strongest foundation for the future effectiveness of service delivery to close the gap between Aboriginal and non-Aboriginal justice outcomes:

- Aboriginal people understand the issues of concern and priority in their local areas.
- Involvement of Aboriginal people ensures community buy-in and culturally appropriate solutions.
- Inclusion of Aboriginal people builds community and social capital.
- Involvement of Aboriginal people increases potential for creation of culturally-sensitive spaces and improved cultural competency of non-Aboriginal staff.
- Aboriginal people are able to use their networks to engage people in programs and services who may not otherwise participate.
- Aboriginal people can use their community networks to work across agencies in communities.⁶

Self-determination in action through the AJA

Self-determination has been a fundamental driving principle of the partnership and governance structures underpinning the AJA since its inception, and informs all work under the Agreement. This approach has seen the development of multiple positions, plans, partnerships and programs that specifically meet the needs of the Victorian Aboriginal community since 2000 including those shown below.

Positions

- Victoria Police Aboriginal Community Liaison Officers
- Sheriff's Aboriginal Liaison Officers
- Local Justice Workers
- Aboriginal Justice Caucus and Secretariat
- RAJAC Executive Officers
- LAJAC Project Officers
- Aboriginal Dispute Resolution Team
- Koori Court Officers
- Aboriginal Wellbeing Officers
- Aboriginal Community Corrections Officers, Case Managers and Parole Officers
- Aboriginal Victims Assistance Support Workers
- Advanced Aboriginal Case Managers

Programs

- Koori Women's Diversion Program
- Wulgunggo Ngalu Learning Place
- Koori Courts
- Koori Youth Justice Program
- Reporting Racism Project
- Koori Independent Prison Visitor Scheme
- Local Justice Worker Program
- Frontline Youth and Community Initiatives Programs
- Koori Youth Crime Prevention Grants
- Family Violence funding for ACCOs
- Kaka Wangity Wangin-Mirrie Cultural Programs in Correctional Services (programs that focus on cultural strengthening; family violence; parenting and healing)

Partnerships

- Victorian Aboriginal Justice Advisory Committee
- Aboriginal Justice Agreement Partnership
- Aboriginal Justice Caucus
- Regional Aboriginal Justice Advisory Committees
- Local Aboriginal Justice Action Committees
- Indigenous Family Violence Partnership Forum

Plans

- DJR Koori Careers and Employment Strategy
- DJR Yarrwul Loitjba Yapaneyepuk (Koori Inclusion Action Plan)
- DJR Cultural Respect Framework
- Corrections Victoria and Justice Health Aboriginal Social and Emotional Wellbeing Plan

The evolving role of the Aboriginal Justice Caucus

The Aboriginal Justice Caucus comprises the Aboriginal community members of the AJF. In addition to the nine Chairs of the RAJACs, the Aboriginal Justice Caucus also includes Aboriginal representatives of Aboriginal peak bodies and some Aboriginal community controlled organisations (ACCOs).

The role of the Aboriginal Justice Caucus is evolving, as they participate in a growing number of local and state-wide advisory and governance mechanisms to inform government responses to justice-related issues, including this Agreement, the development of a new Aboriginal youth justice strategy and initiatives relating to the *2016 Royal Commission into Family Violence*. The progression of self-determination necessitates new and enhanced roles for the Aboriginal partners of the AJA and the AJF.

The Aboriginal Justice Caucus will seek to increase its participation in government processes, policy and program design, which is critical to the realisation of self-determination for the Victorian Aboriginal community in the justice sector:

“The Aboriginal Justice Caucus appreciates the enormity of the task but is ready to take responsibility for setting the Aboriginal justice agenda”⁷

Further embedding self-determination in justice

The Aboriginal Justice Caucus have developed their long-term priorities for realising Aboriginal self-determination in the justice system.

This work acknowledges that Aboriginal self-determination is not a new concept in Victoria with communities and individuals involved in an ongoing struggle for the right to self-determine their lives, shape their communities and ensure the wellbeing of future generations. In relation to the justice system, the concept of self-determination has been enshrined in previous AJAs, reflecting recommendations from the RCIADIC which identified the empowerment of Aboriginal communities and the associated right to self-determination as critical to realising meaningful change in Aboriginal justice outcomes.

In developing *Burra Lotjpa Dunguludja*, the Aboriginal Justice Caucus' long-term aspiration for self-determination within the justice system could eventually see the Aboriginal community set the agenda in relation to providing a culturally-responsive justice system for Aboriginal people. The Victorian Government acknowledges that “Aboriginal people in Victoria are the people best placed to know what works when it comes to achieving better outcomes for their own communities”⁸.

In the context of the Victorian justice system, this relates to the aspiration of the Aboriginal community to:

- determine goals and aspirations for that system as it applies to Aboriginal people
- set the direction for government policy and programs as they apply to Aboriginal people's interaction with the justice system
- hold governments to account against benchmarks set by the Aboriginal community
- establish justice institutions to exercise self-determination.⁹

The characteristics of self-determination include:

- community control over design, process and preferred outcomes
- cultural leadership and authority
- systems, services and programs reflecting community values
- a holistic approach to wellbeing and healing
- jurisdictional influence
- focusing on outcomes rather than outputs
- flexibility in resourcing and time to grow and evolve
- high levels of competence and capacity
- realistic targets and control over parameters of evaluation processes.¹⁰

Embedding self-determination in the core business of justice agencies requires change in order to transfer power, decision-making and resources to the Aboriginal community. Taking the first steps toward transitioning to greater Aboriginal authority is a crucial aim of this Agreement.

Aboriginal over-representation in the justice system

The evidence

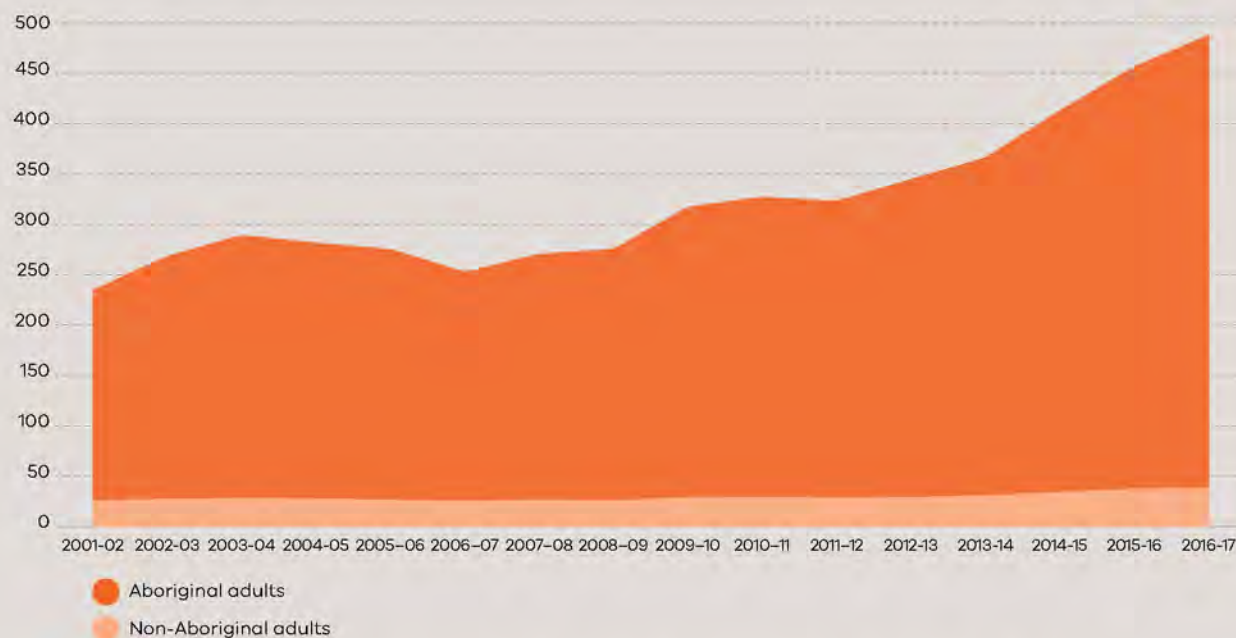
The majority of Aboriginal people will never offend nor become involved in the Victorian criminal justice system. However there is a minority who will offend and once involved in the system have an increased risk of lifelong involvement.

The over-representation of Aboriginal people in the criminal justice system is a complex and enduring issue. It remains high, and the conditions that led to the signing of the first AJA remain as valid today as they were in 2000.

Although the numbers and rates of Aboriginal young people and adults involved in the criminal justice system in Victoria are lower than most other Australian jurisdictions and national figures, they are high when compared to the non-Aboriginal population and are increasing.

Between 2011-12 and 2016-17, the rate of Aboriginal adults under justice supervision increased by 52.6 per cent (from 294.5 to 449.5 per 10,000) compared with a 34 per cent increase among non-Aboriginal adults (from 28.6 to 38.4 per 10,000).¹¹ In 2016-17, Aboriginal adults were 11.7 times more likely than non-Aboriginal adults to be under justice supervision in Victoria.

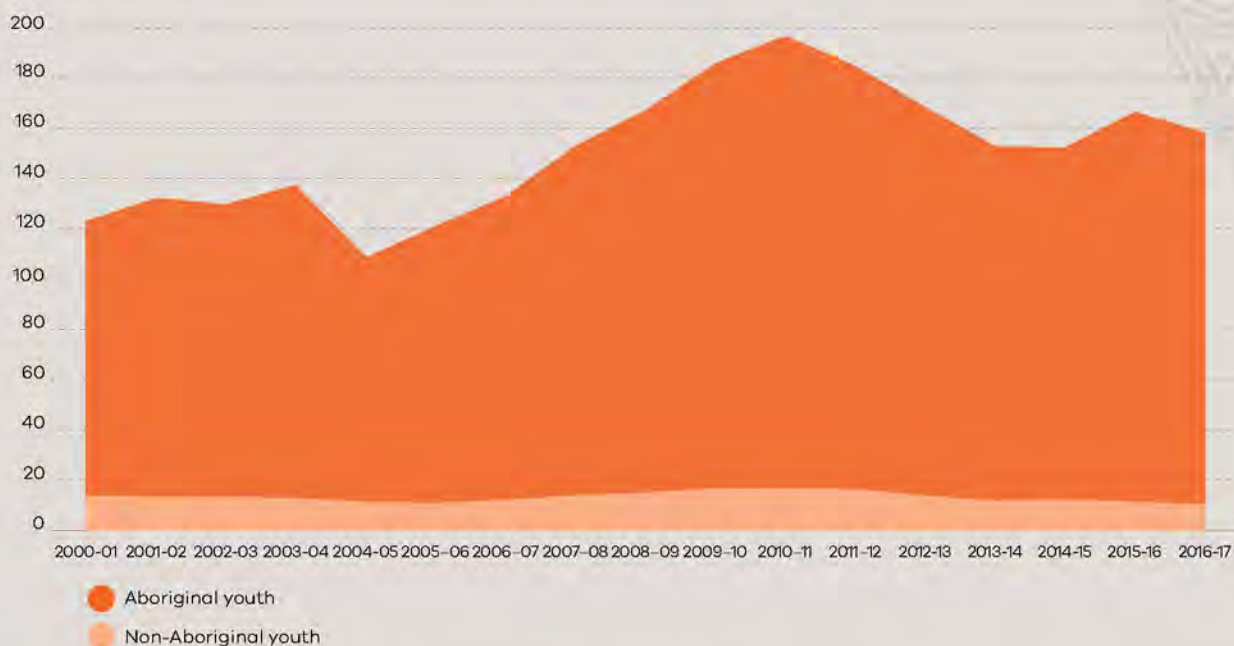
Figure 1. Adults under justice supervision (community corrections and prison) in Victoria, rates per 10,000 population



Source: Corrections Victoria, ABS 3238.0 Aboriginal Population Estimates and Projections, ABS 3101.1 Australian Demographic Statistics.

Over the past five years, the rate of Aboriginal youth (aged 10-17 years) under justice supervision decreased by 13.1 per cent (from 170.2 to 147.9 per 10,000) compared with a 34.8 per cent decrease among non-Aboriginal youth (from 16.2 to 10.6 per 10,000).¹² In 2016-17, Aboriginal youth were 14 times more likely than non-Aboriginal youth to be under justice supervision in Victoria.

Figure 2. Youth (10-17 years) under justice supervision (community-based and detention) in Victoria, rates per 10,000 population



Source: AIHW, *Youth Justice 2016-17*, ABS 3238.0 *Aboriginal Population Estimates and Projections*, ABS 3101.1 *Australian Demographic Statistics*

Aboriginal cohorts under justice supervision

In 2017, Aboriginal adults accounted for 8.5 per cent of all prisoners in Victoria despite comprising only 0.6 per cent of the total Victorian adult population. Once age differences between the Aboriginal and non-Aboriginal populations were accounted for, the non-Aboriginal imprisonment rate was 14.0 per 10,000 adults in Victoria, while the adult Aboriginal imprisonment rate was 168.3 per 10,000 population, 12.0 times the rate for the total population.¹³

On an average day in 2017, Aboriginal adults accounted for 7.2 per cent of offenders in community-based corrections. The age-standardised Aboriginal community corrections rate was 264.4 per 10,000, 9.5 times the non-Aboriginal rate of 27.9 per 10,000.¹⁴

In 2016-17, Aboriginal youth accounted for 16.9 per cent of all young people in youth detention despite comprising only 1.3 per cent of the Victorian youth population (10-17 years). The non-Aboriginal detention rate was 1.8 per 10,000 youth (10-17 years) in Victoria, while the Aboriginal youth detention rate was 23.2 per 10,000, 12.7 times the non-Aboriginal rate.¹⁵

Similarly, Aboriginal youth aged 10-17 years accounted for 18.4 per cent of young offenders under community-based youth justice supervision on an average day. The rate of Aboriginal youth under community-based supervision was 123.5 per 10,000, 14.3 times the non-Aboriginal rate of 8.6 per 10,000.¹⁶

Men

On any given day, the vast majority of Aboriginal people in the criminal justice system are adults (approximately 92 per cent) and the majority of these adults are male (approximately 80 per cent). On any given day, approximately 60 per cent of Aboriginal males in prison and in community-based corrections are aged 18-34 years.¹⁷ Given their high numbers, and frequency of interactions with the criminal justice system, reducing the number of Aboriginal males in contact with the criminal justice system is critical if the targets, milestones and outcomes of this Agreement are to be realised.

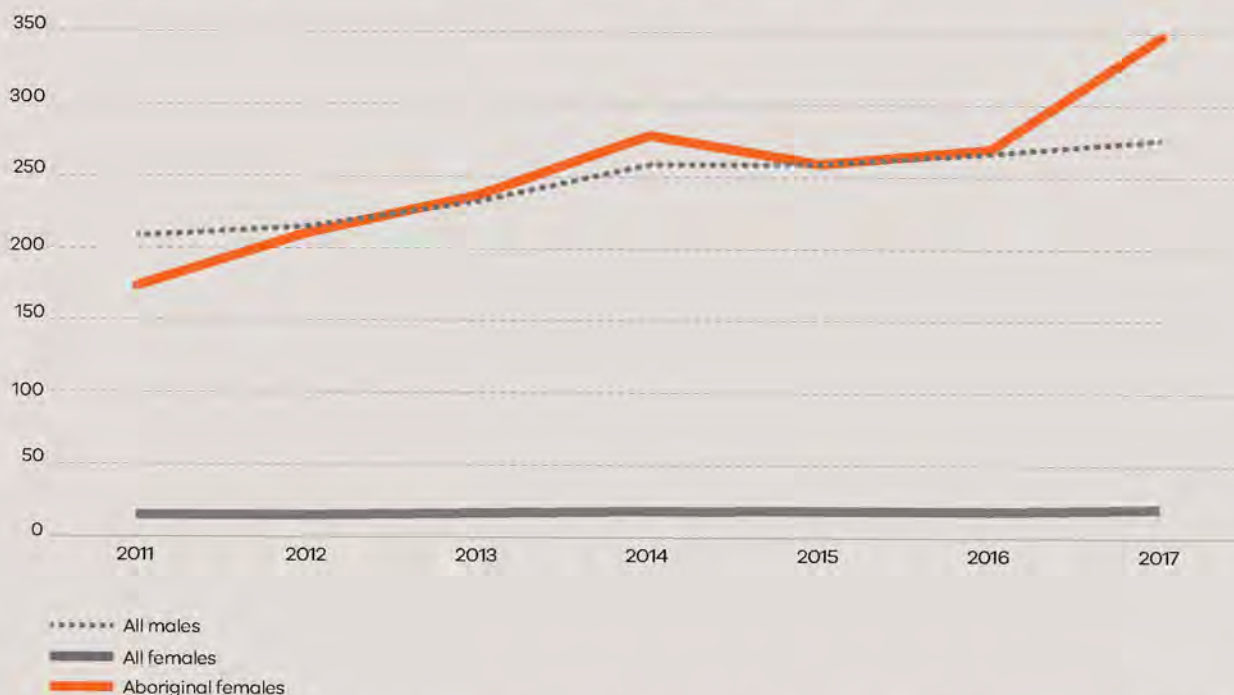
Figure 3. Nine out of every ten Aboriginal people in the criminal justice system are adults.



Women

When AJA2 was evaluated in 2012, Aboriginal women were imprisoned in Victoria at a higher rate than non-Aboriginal men.¹⁸ Since then, the number and rates of Aboriginal women in prison have continued to increase. While Aboriginal women are a relatively small cohort within Victoria's prison system, this cohort has consistently been the fastest growing with a high number of repeat offenders.

Figure 4. Adult female imprisonment rates in Victoria, rates per 10,000 population



Source: ABS 4512.0 Corrective Services, Australia, December Quarter 2017. Aboriginal male imprisonment rates not included.

Figure 5. One in every five Aboriginal people in the criminal justice system is female.



Young people

The vast majority of Aboriginal adults in Victoria's criminal justice system have had previous involvement with the system, and frequently their first interaction with the system was as a child. Most Aboriginal children and young people who come into contact with the criminal justice system do so as a victim, and responding to their needs as victims must be a top priority. Victoria's young and rapidly-growing Aboriginal population represents both a risk and opportunity for addressing Aboriginal over-representation through early intervention, prevention and diversion.

Crime by young people in Victoria has been decreasing.¹⁹ However in any population, the prevalence of criminal behaviour is higher among younger age groups than older groups. This presents a particular challenge in Victoria, given that almost 60 per cent of the Aboriginal population is under the age of 25 (compared to 32 per cent of the non-Aboriginal population).²⁰

The majority of Aboriginal young people will never be involved in the criminal justice system as offenders and fewer Aboriginal young people were involved in the criminal justice system in 2017 compared with five years ago. For those who do become involved in the criminal justice system they tend to do so at an earlier age than their non-Aboriginal peers, and with increasing frequency over time, often spending numerous short periods of time in custody on remand. Aboriginal children aged 10-13 years are more than four times as likely as their non-Aboriginal peers to be in contact with police as first time offenders.²¹

A complex relationship exists between family violence, child removal, criminal offending and ongoing engagement with the justice system. A growing number of Aboriginal children are experiencing increased exposure to risk factors for offending - notably family violence, parental alcohol and/or substance abuse and involvement in out-of-home care²² - resulting in greater likelihood of early contact with the criminal justice system.

Removal from home and disconnection from family and culture continues to lead young people to enter into the justice system at earlier ages. Currently, Aboriginal young people (10-17) are over-represented by 14 times in youth justice supervision and 15 times in out-of-home care. The younger an individual is when they first come into contact with the criminal justice system (either as a victim or offender), the more likely they are to have prolonged contact with the system, as an offender, in future.²³ The risk of future involvement with the criminal justice system is exacerbated when parental incarceration or other circumstances results in children entering the child protection system, or out of home care. Parental and family involvement in the criminal justice system risks normalising these patterns of involvement and sustaining transmission of offending behaviour across generations.

Figure 6. Over-representation of Aboriginal young people in family violence, child protection and youth justice.



Action to address this is driven through the Aboriginal Children’s Forum and the *Wungurilwil Gaggapduir Aboriginal Children and Families Agreement*, a three-party agreement between the Aboriginal community, the child and family services sector and the Victorian Government. Making inroads into this key driver of Aboriginal over-representation in the criminal justice system will underpin the long term achievement of outcomes under *Burra Lotjpa Dungaludja*.

Recidivism

Re-offending contributes significantly to the rates of Aboriginal over-representation. Lower proportions of Aboriginal offenders on supervised orders successfully complete their orders compared with non-Aboriginal offenders, which is a major contributor to the rate of re-offending. More broadly, socio-economic factors such as homelessness, financial stress, social and economic exclusion and limited access to culturally-appropriate substance abuse treatment programs and poorer educational outcomes all contribute to failing to complete orders and recidivism. Those who have been incarcerated previously are at “...higher risk of re-offending and entrenching the intergenerational cycle of poverty”²⁴

Figure 7. Prisoner recidivism 2016-17



Source: Corrections Victoria Data Warehouse, ABS 45170 Prisoners in Australia, 2017.

Underlying causes of Aboriginal over-representation

The *Victorian Aboriginal Affairs Framework* explicitly recognises that the contemporary social and economic circumstances of Aboriginal people are inextricably linked to ongoing and previous generations' experiences of European colonisation. This recognition equally applies to Aboriginal over-representation in criminal justice. The exercise of power and control by European settlers resulted in dispossession of land, disruption of culture and kinship systems, removal of children, racism, social exclusion, institutionalisation and entrenched poverty for Aboriginal people. The consequences of colonisation are far-reaching and intergenerational, continuing to play out in Aboriginal peoples' interactions with the criminal justice system.²⁵ Increasing Aboriginal over-representation in Victoria's criminal justice institutions has the potential, in the absence of more appropriate responses, to further perpetuate social and economic exclusion, and compound losses of culture, family and purpose, for a growing number of Aboriginal people.

"Our life pattern was created by the government policies and are forever with me, as though an invisible anchor around my neck."²⁶

Confidential submission to the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children
(Bringing them Home, 1997)

The RCIADIC found that "the high rates of Aboriginal deaths in custody was directly related to the underlying factors of poor health and housing, low employment and education levels, dysfunctional families and communities, dispossession and past government policies... [it] concluded that the most significant contributing factor bringing Aboriginal people into conflict with the criminal justice system was their disadvantaged and unequal position in the wider society".²⁷

The following statistics demonstrate that these social and economic factors are as relevant today as they were in 1991 when the RCIADIC delivered its findings. It is critical that work continue with the Aboriginal community to tackle the causes of disadvantage if AJA4 is to be achieved.

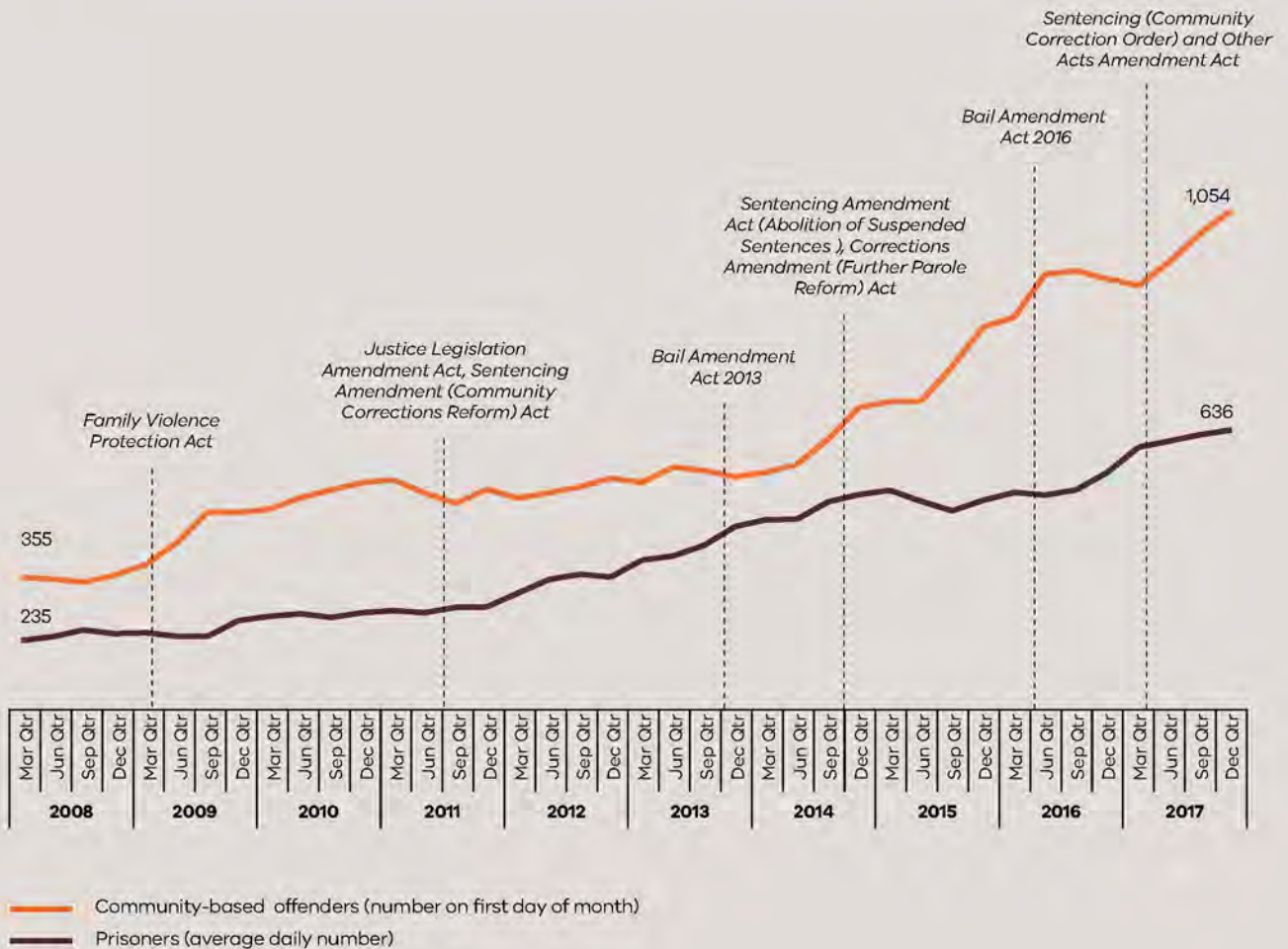
Figure 8. Social and economic factors that affect Aboriginal Victorians

	<p>Education: Disengaging from school and lack of educational attainment increase the risk of an individual committing an offence and becoming involved in the justice system.</p> <p>Over half of all young people in custody had been previously suspended or expelled from school.²⁸ While there remain gaps between Aboriginal and non-Aboriginal education outcomes, more Aboriginal students are staying in school longer.</p>
	<p>Disability: Aboriginal people with cognitive impairments are more likely to come into contact with police earlier and more frequently than their non-Aboriginal counterparts.</p> <p>Eleven per cent of Aboriginal young people in custody were registered with Disability Services.²⁹</p>
	<p>Employment: Unemployment increases the risk of justice system involvement.</p> <p>Half of all first time offenders were unemployed at time of arrest. Aboriginal unemployment is 14 per cent, more than double the non-Aboriginal rate and even higher among the Aboriginal youth population.³⁰</p>
	<p>Mental health: Poor mental health is associated with a greater risk of criminal justice system involvement.</p> <p>Forty per cent of all young people in youth justice custody presented with mental health issues.³¹ Seventy-two per cent of Aboriginal men and 92 per cent of Aboriginal women in prison had received a lifetime diagnosis of mental illness.³²</p>
	<p>Substance Abuse: High levels of substance use are reported among Aboriginal offenders.</p> <p>Aboriginal offenders are more likely to report being under the influence of alcohol and/or other drugs at the time of offence and more likely to attribute their offending to substance use than non-Aboriginal offenders.³³ Sixty-five per cent of young people detained on sentence and remand had a history of alcohol and licit and illicit drug use, and 82 per cent reported that the use of either drugs or alcohol were a factor that contributed to their offending behaviour.³⁴</p>
	<p>Racism: Endemic and entrenched forms of racism can result in Aboriginal people being excluded from full participation in Victorian society.</p> <p>Institutional racism and systemic discrimination perpetuates the marginalisation of Aboriginal people. Forty-six per cent of Aboriginal people experienced racial discrimination in the six months prior to the Reconciliation Australia Barometer survey.³⁵ Thirty-seven per cent of Aboriginal Victorians felt they had been treated unfairly in the past twelve months because they were Aboriginal.³⁶</p>
	<p>Child protection: Children who have been involved in the Child Protection and/or out-of-home care systems are at greater risk of future justice system involvement.</p> <p>In June 2017 there were 2,091 Aboriginal children in out of home care in Victoria – the highest number in the past decade. Rates of out of home care are over 15 times higher for Aboriginal children than non-Aboriginal children.³⁷</p>
	<p>Family violence and sexual abuse: Being a witness or victim of family violence early in life increases the risk of future justice system involvement as an offender.</p> <p>An estimated 87 per cent of all Aboriginal women in custody have been a victim of sexual, physical or emotional abuse, with most having suffered abuse in multiple forms.³⁸ Seventy-one per cent of young people in custody were victims of abuse, trauma or neglect.³⁹</p>
	<p>Housing: Substandard and inadequate housing can lead to poor health, which is an underlying cause of incarceration. Homelessness is also a serious issue.</p> <p>Thirteen per cent of young people were homeless with no fixed address or living in insecure housing before being taken into custody.⁴⁰ Victoria has one of the highest proportions (37 per cent) of Aboriginal people who have experienced homelessness, with almost nine per cent of all clients accessing specialist homelessness services in Victoria being Aboriginal.⁴¹</p>

Involvement in the justice system

Policy and legislative changes in Victoria designed to enhance community safety have seen a growth in the number of Victorians now under justice supervision – in community corrections, on remand and serving prison sentences. At the same time, there has been an increase in Aboriginal people’s involvement in the justice system in Victoria. This has occurred at a greater rate than in the non-Aboriginal population. This is unsurprising given higher rates of socio-economic disadvantage in the Aboriginal community.

Figure 9. Number of Aboriginal people under adult justice supervision 2008–2017 in Victoria vs legislative reform.



Source: ABS 4512.0 Corrective Services, Australia.

Working together to achieve outcomes

The *Victorian Aboriginal Affairs Framework*⁴² is the government's overarching framework that brings together government and Aboriginal community commitments and efforts to improve outcomes for Aboriginal Victorians. *Burra Lotjpa Dunguludja* contributes to making Aboriginal families and communities safer, and equitable justice outcomes. Since 2013, this has been underpinned by a commitment to close the gap between the rates of Aboriginal and non-Aboriginal people under justice supervision by 2031.

The RCIADIC concluded that addressing the various aspects of Aboriginal social and economic disadvantage is crucial for reducing Aboriginal involvement in the criminal justice system. In recent years, a range of strategies have been developed in partnership between Aboriginal Victorians and the Victorian Government to tackle these underlying issues, including:

- *Victorian Aboriginal Economic Development Strategy 2013-2020*⁴³
- *Marrung: Aboriginal Education Plan 2016-2026*⁴⁴
- *Korin Korin Balit-Djak: Aboriginal Health, Wellbeing and Safety Strategic Plan 2017-2027*⁴⁵
- *Balit Murrup: the Aboriginal Social and Emotional Wellbeing Framework 2017-2027*⁴⁶
- *Wungurilwil Gapgapduir Aboriginal Children and Families Agreement 2018*⁴⁷
- *Ending Family Violence: Victoria's Plan for Change*⁴⁸

The current 10 year plan, *Strong Culture, Strong Peoples, Strong Families: Towards a safer future for Indigenous families and communities*⁴⁹ was released in 2008 and expires in 2018. Through the leadership of the Indigenous Family Violence Partnership Forum, it has provided the overarching framework to guide the Aboriginal community-led partnership with the Victorian Government to address family violence impacting Aboriginal Victorians. Family Safety Victoria is working with the Indigenous Family Violence Partnership Forum to develop the next Aboriginal 10 Year Family Violence Agreement.

These strategies, like *Burra Lotjpa Dunguludja*, are guided by the principle of self-determination. They have attracted significant government investment and lay the foundation to tackle the drivers of Aboriginal over-representation in the justice system. As a result of the considerable depth and spread of these new strategic investments, *Burra Lotjpa Dunguludja* will focus on improving the justice system, and reducing repeated contact with the system as its primary responses to addressing over-representation.

There are specific commitments under a number of these strategies that are directly related to, or intersect with justice outcomes, for example:

- *Korin Korin Balit-Djak* commits to providing support and transitional help to those leaving the justice system, prioritising the needs of young Aboriginal people leaving out-of-home care, expanding housing and homelessness services for Aboriginal people and culturally-informed alcohol and drug treatment services. It also commits government to partner with Aboriginal communities to co-design healing, grief, loss, trauma-informed and recovery approaches and tools for Aboriginal and mainstream services; support Aboriginal community-led initiatives that facilitate connection to culture, country and community for children and young people; and with support from other government agencies, work towards the establishment and sustainability of Gathering Places.⁵⁰
- The first *Family Violence Rolling Action Plan* released under *Ending Family Violence: Victoria's Plan for Change* provides for two new Aboriginal family violence refuges in 2020, the upgrade of 18 existing refuges, extra support for women who need crisis accommodation, resources for Aboriginal communities and services to deliver their own responses to family violence and the establishment of a Koori Women's Place in Melbourne.⁵¹

Figure 10. Shared vision and outcomes with other government frameworks and plans



Incorporating evidence and learning

The adoption of an outcomes approach allows for flexible responses to emerging challenges based on the best available evidence and learning. Research findings, internal and external evaluations, recommendations from international, national and state inquiries and reviews will be examined for their relevance to the Victorian context, and applied where appropriate.

For example, the evaluation of AJA3 demonstrated that successful AJA initiatives are built on:

Community ownership of initiatives: The involvement of ACCOs or Aboriginal bodies (e.g. gathering places) as the prime delivery agent for services to Aboriginal people is central to the success of the AJA's approach. Led by Aboriginal people, these organisations are best placed to understand community needs and deliver responsive services. Basing programs within Aboriginal organisations improves the credibility of programs within the community, strengthens coordination at the local level, and increases client access to a range of programs and services.

A supported and resourced Aboriginal workforce: Successful programs employ Aboriginal staff who are known in the community, respected and trusted by program participants, highly motivated, well-trained, and skilled at providing cultural support to clients. These workers 'walk between the two worlds' of community and government and act as a mediator and sometimes translator for both. Successful programs resource workers adequately and provide supports to manage cultural loads and vicarious trauma.

Strong local leadership: The effectiveness of the AJA and in particular the RAJACs and LAJACs, is contingent upon the strength and passion of individual members. This includes strong leaders from both the community and government. LAJACs and RAJACs play a crucial role in facilitating the participatory identification of needs and development of plans to address those needs. Involving the RAJACs/LAJACs in setting priorities also allows for prioritisation according to community strengths so that programs have the greatest chance of success.

An integrated approach to culture: Where success has been achieved, the overarching factor that has contributed to that success is strength of identity and strength of culture. Programs that take an integrated approach to culture, where culture is not viewed as a set of stand-alone activities that can be separated or isolated from other programs and services, are able to provide a more culturally-responsive approach to the needs of Aboriginal clients, and consequently tend to have higher rates of client participation and effectiveness.

Joined-up and collaborative working: The most successful initiatives have a high level of active networking and strong collaboration between justice agencies, service providers and the Aboriginal community. Joined-up programs take a holistic approach to the provision of services that focus on underlying protective and risk factors; integrate referral systems; have well-functioning steering committees; and strong stakeholder relationships that provide staff with opportunities for networking and sharing information.

Addressing issues holistically: The most effective programs address issues holistically rather than taking a singular focus on offending. This includes using client-centred approaches where support is tailored to each person in accordance with his or her individual needs and circumstances. Taking a holistic approach instead of simply focusing on criminal behaviours, which only offers short-term solutions.

The Aboriginal Justice Forum Message Stick

A message stick, made by renowned Aboriginal artist and Elder the late Uncle Albert Mullet, was introduced into the Aboriginal Justice Forum (AJF) proceedings in 2010. It symbolises the important role of the Aboriginal Co-Chair in the AJF, and honours the work of these Elders and leaders in their communities.

Message sticks were used by many Aboriginal peoples in Victoria and throughout Australia when communicating across different language groups. A message stick would be passed between leaders along with supporting verbal messages, and each leader would add their own before passing the message stick on. In this way, the message stick became a record of decision making and agreement, and a symbol of the ties between all Aboriginal people.

As a part of AJF proceedings, the Co-Chair of the local Regional Aboriginal Justice Advisory Committee hosting the Forum engraves a message or a symbol on the message stick to represent their community or the goals of their region under the partnership. They then pass it on to the host and Co-Chair of the next Forum.

The passing of the message stick reinforces the importance of the Co-Chair role, and the continuity of culture in contemporary Aboriginal life.

The message stick symbolises the strength of the AJA, and provides an evolving history of the Forum's pathway throughout Victoria.



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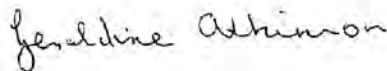


Burra Lotjpa Dunguludja – Victorian Aboriginal

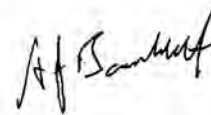
Signatories to *Burra Lotjpa Dunguludja*



The Hon Martin Pakula MP
Attorney-General



Geraldine Atkinson
President
Victorian Aboriginal
Education Association Inc.



Alfred Bamblett
Chairperson
Victorian Aboriginal Justice
Advisory Committee



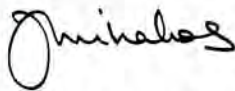
The Hon Natalie Hutchins MP
Minister for Aboriginal Affairs



Antoinette Braybrook
Chief Executive Officer
Djirra



John Bell
Chairperson
Barwon South West Regional
Aboriginal Justice Advisory
Committee



The Hon Jenny Mikakos MP
Minister for Families and
Children




Trevor Pearce
Acting Chief Executive Officer
Victorian Aboriginal
Community Controlled Health
Organisation



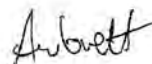
Chris Harrison
Aboriginal Community
Justice Panel



The Hon Lisa Neville MP
Minister for Police



Justin Homer
Indigenous Family Violence
Partnership Forum
representative



Tony Lovett
Chairperson
Grampians Regional
Aboriginal Justice Advisory
Committee



The Hon Gayle Tierney MP
Minister for Corrections



Lois Peeler AO
Chairperson
Eastern Metropolitan
Regional Aboriginal Justice
Advisory Committee

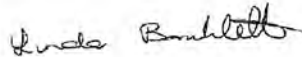


Darren Smith
Chief Executive Officer
Aboriginal Housing Victoria

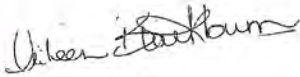
Justice Agreement Phase 4



**Adjunct Professor
Muriel Bamblett AM**
Chief Executive Officer
Victorian Aboriginal Child
Care Agency



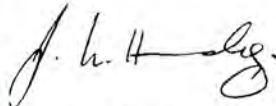
Linda Bamblett
Chairperson
Northern Metropolitan
Regional Aboriginal Justice
Advisory Committee



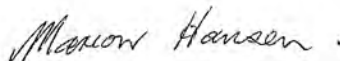
Aileen Blackburn
Chairperson
Gippsland Regional
Aboriginal Justice Advisory
Committee



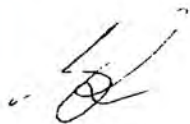
Indi Clarke
Executive Officer
Koorie Youth Council



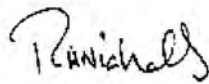
Jemmes Handy
Chairperson
Loddon Mallee Regional
Aboriginal Justice Advisory
Committee



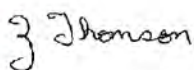
Marion Hansen
Chairperson
Southern Metropolitan
Regional Aboriginal Justice
Advisory Committee



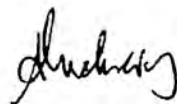
Wayne Muir
Chief Executive Officer
Victorian Aboriginal Legal
Service



Robert Nicholls
Chairperson
Hume Regional Aboriginal
Justice Advisory Committee



Zeta Thomson
Koori Independent Prison
Visitor



Annette Vickery
Chairperson
Western Metropolitan
Regional Aboriginal Justice
Advisory Committee



The Vision

Aboriginal people have access to an equitable justice system that is shaped by self-determination, and protects and upholds their human, civil, legal and cultural rights.

This vision for the future is accompanied by a set of long term Aboriginal aspirations for:

- Culturally strong and safe families and communities
- Fewer Aboriginal people in the criminal justice system
- An Aboriginal community controlled justice sector
- Self-determination in the justice sector

These are the ideals expressed by our Aboriginal partners that this Agreement and subsequent AJAs will contribute to over a generation, along with broader government and community sector efforts to continue to build on community strengths and enable Aboriginal people to realise their full potential.

Principles for ways of working

All AJA4 actions are expected to adhere to the following principles developed by the Aboriginal Justice Caucus through their work on self-determination in the justice system:

1. **Prioritise self-determination:** Always strive to transfer power, decision-making and resources to the Aboriginal community.
2. **Support cultural strengthening:** Enhance positive connections to family, community and kin to build resilience to setbacks and develop strategies for dealing with hardships.
3. **Be strengths-based:** Respect and honour the strengths and resilience of Aboriginal people, families and communities and build upon these.
4. **Be trauma-informed:** Employ healing approaches that seek to understand and respond to trauma and its impact on individuals, families and communities.
5. **Be restorative:** Aim for the restoration of victims, offenders and communities and repair the harm resulting from the crime, including harm to relationships.
6. **Use therapeutic approaches:** Recognise that at all stages of involvement with the justice system there is potential to make a positive impact on a person's life.
7. **Respond to context:** Recognise and adapt to meet the specific needs and circumstances of people, families, and communities.
8. **Be holistic:** Address the interrelated risk factors for offending in a holistic manner, such as substance abuse, housing, and unemployment.
9. **Protect cultural rights:** Respect the distinct and unique rights of Aboriginal people.
10. **Address unconscious bias:** Identify and respond to systemic racism and discrimination that persists in the justice system.

Aboriginal Justice Outcomes

Burra Lotjpa Dunguludja takes an outcomes approach to organise and communicate what will be done under the Agreement.

Too often, government focuses on outputs – the number of activities, products or services being provided. But monitoring and reporting on outputs or activity alone does not provide evidence of whether that work is effective and whether necessary changes occurred as intended.

Focussing on outcomes allows us to better identify what the most important changes are and whether they are being achieved. It communicates our key priorities, and what success will look like, and provides flexibility to adapt and improve initiatives that are not delivering the intended results. It allows for more flexible and tailored responses, development of additional actions, and greater Aboriginal input over the life of the Agreement.

How to understand *Burra Lotjpa Dunguludja*

The Agreement is composed of a number of levels:

- **Domains** reflect critical areas in which outcomes need to be achieved.
- **Goals** are considered achievable within the period of this Agreement, provided efforts across government and community to address the underlying drivers of Aboriginal social and economic disadvantage are effective.
- **Outcomes** reflect desired changes for individuals, families, communities and the justice system as the result of actions implemented under this Agreement.
- **Strategies** are the ways those outcomes can be achieved over time.
- **Actions** specify commitments, activities and areas for further development that will deliver those strategies.

What are the symbols?

The strategies identified in this agreement fall into four broad categories:



Early intervention and prevention



Rehabilitation



Diversion



Policy and system change

How we will know if we are on track

Victoria first introduced Aboriginal justice targets in 2012 committing to:

Close the gap in the rate of Aboriginal and non-Aboriginal people under adult justice supervision by 2031

Close the gap in the rate of Aboriginal and non-Aboriginal people under youth justice supervision by 2031

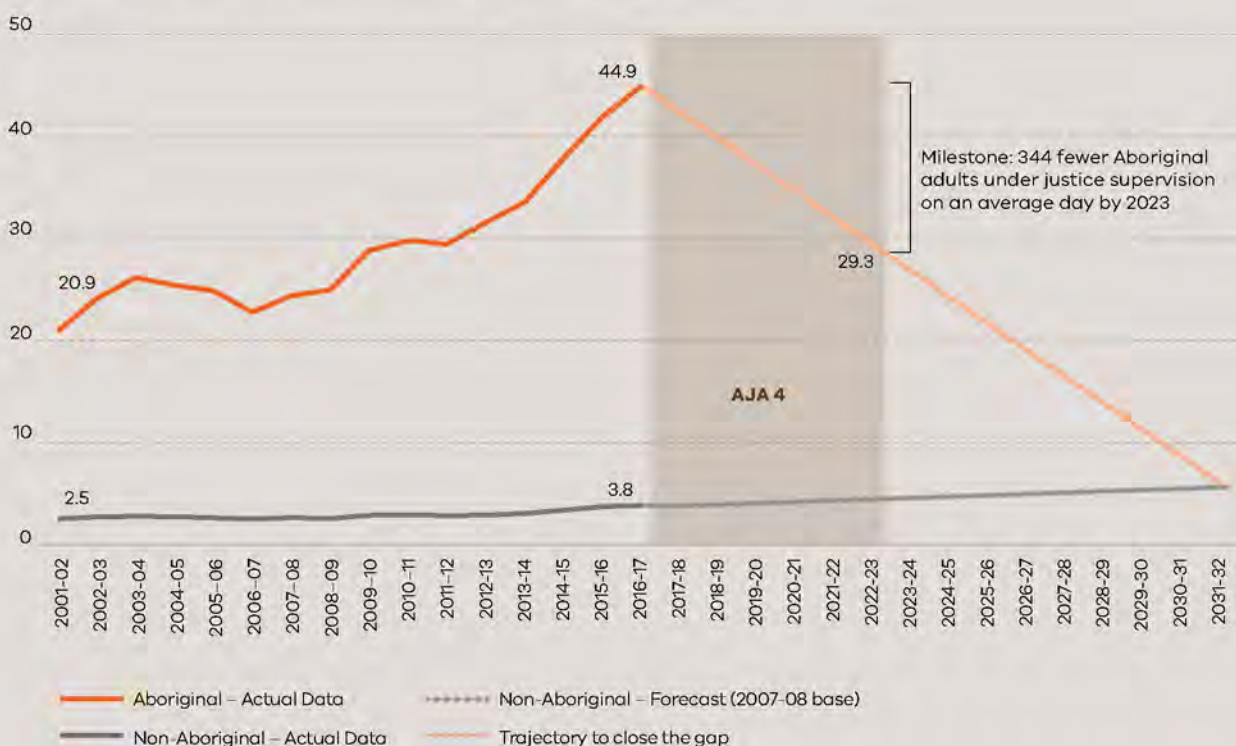
Making progress towards closing the gap relies upon: reducing the number of Aboriginal people entering the criminal justice system for the first time through Government-Aboriginal community partnership strategies that address the social and economic drivers of Aboriginal over-representation; and reducing the frequency, severity and duration of Aboriginal people’s involvement with the justice system over time through actions implemented under this Agreement.

To illustrate the level of change required to get on track to close the gap, the graphs below translate the existing target to show how many fewer Aboriginal people would need to be under justice supervision by the end of the Agreement.

Milestone 1: Reduce the average daily number of Aboriginal adults under justice supervision in prison and community corrections by at least 344 by 2023.

In 2017, there were 1,495 Aboriginal people under adult justice supervision on any given day (a rate of 44.9 per 1,000 Aboriginal adults). To get on track to meet the target there needs to be fewer than 1,151 Aboriginal adults under justice supervision on an average day by June 2023 (a rate of 29.3 or less per 1,000).

Figure 11. Aboriginal adults under justice supervision, rate per 1,000

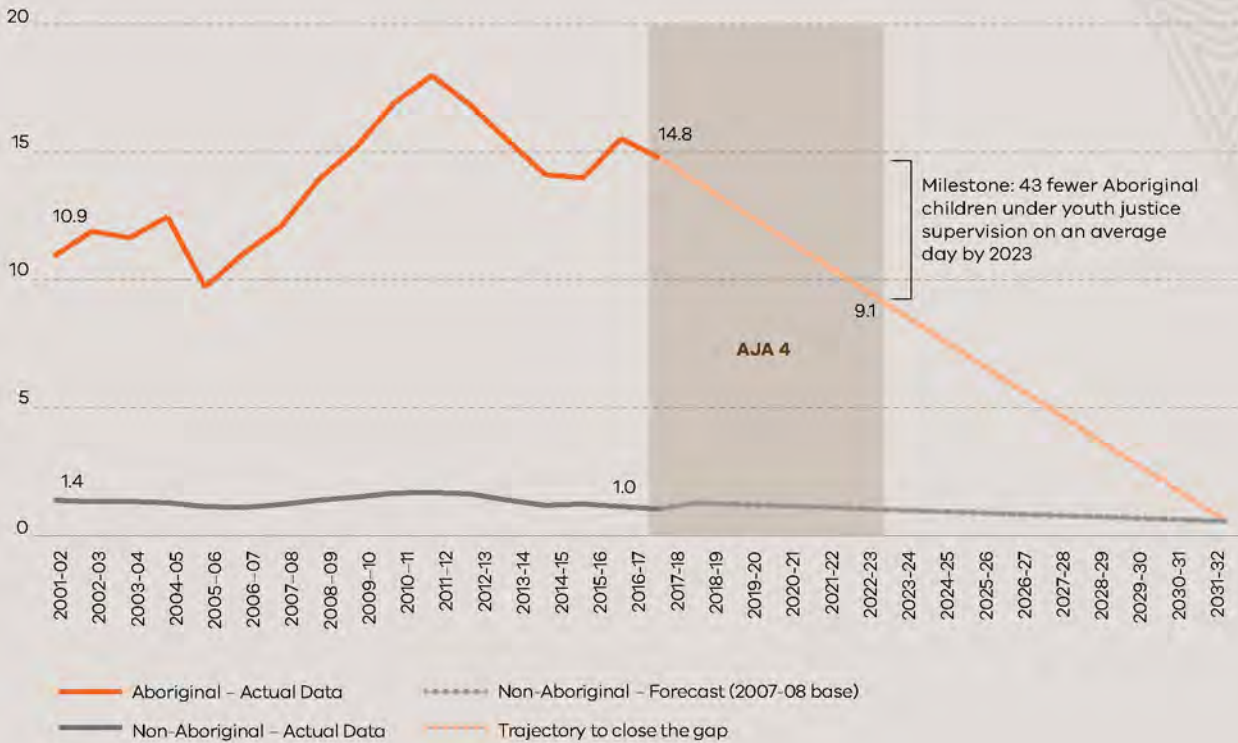


Source: Corrections Victoria Data Warehouse, ABS 3238.0 Estimate and Projections, Aboriginal and Torres Strait Islander Australians 2001 to 2026, forecasts and trajectory calculated by DJR based on linear trends.

Milestone 2: Reduce the average daily number of Aboriginal children aged 10-17 years under youth justice supervision in detention and the community by at least 43 by 2023.

There were 132 Aboriginal children under youth justice supervision (in detention and on community based orders) on an average day in 2016-17 (a rate of 14.8 per 1,000 Aboriginal children). To get on track to meet the target there needs to be fewer than 89 Aboriginal children under justice supervision on an average day by 2023 (a rate of 9.1 or less per 1,000), a reduction of 43 children.




Figure 12. Aboriginal children aged 10-17 years under youth justice supervision, rate per 1,000



Source: AIHW, Youth justice in Australia 2016-17, ABS 3238.0 Estimate and Projections, Aboriginal and Torres Strait Islander Australians 2001 to 2026, forecasts and trajectory calculated by DJR based on linear trends.

Key indicators

The above milestones will be underpinned by key indicators that will allow us to track performance at crucial points in the system, such as:

Early Intervention and Prevention	 <ul style="list-style-type: none"> • Number of community-based early intervention activities that reflect best/promising practice • Number and rate of: <ul style="list-style-type: none"> - family incident reports with Aboriginal affected family members - family incident reports with Aboriginal other parties - Aboriginal victims of crimes against the person - Aboriginal offender incidents of crimes against the person 	<div style="display: flex; align-items: center; justify-content: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Diversion</div>  </div> <ul style="list-style-type: none"> • Proportion of Community Correction Orders successfully completed • Proportion of Aboriginal first time offenders (child and adult) cautioned by police • Number and rate of people receiving intensive bail support • Number and rate of Aboriginal people involved in diversion programs • Number and rate of Aboriginal individuals assisted to address outstanding fines/warrants 	<div style="display: flex; align-items: center; justify-content: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Rehabilitation</div>  </div> <ul style="list-style-type: none"> • Number of released prisoners who do not come back under justice supervision within two years • Number and proportion of Aboriginal prisoners successfully completing Offender Behaviour Programs • Number of prisoners and/or offenders engaged in cultural programs
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The *Burra Lotjpa Dunguludja* Outcomes Framework

Figure 13. The *Burra Lotjpa Dunguludja* Outcomes Framework

Domains	Goals
1. Strong and safe Aboriginal families and communities	1.1 Aboriginal families are strong and resilient
	1.2 Aboriginal communities are safer
2. Fewer Aboriginal people in the criminal justice system	2.1 Aboriginal people are not disproportionately worse off under policies and legislation
	2.2 Fewer Aboriginal people enter the criminal justice system
	2.3 Fewer Aboriginal people progress through the criminal justice system
	2.4 Fewer Aboriginal people return to the criminal justice system
3. A more effective justice system with greater Aboriginal control	3.1 The needs of Aboriginal people are met through a more culturally-informed and safe system
	3.2 A strong and effective Aboriginal community controlled justice sector
4. Greater self-determination in the justice sector	4.1 Greater accountability for justice outcomes
	4.2 Greater Aboriginal community leadership and strategic decision making

Outcomes

- 1.1.1 People are more connected to their family, community, country and culture
- 1.1.2 Families are enabled to address justice issues and minimise the effects of crime and justice system involvement
- 1.1.3 Families have greater awareness and ability to protect their civil rights
- 1.2.1 Victims and witnesses are better supported to manage and minimise the effects of crime
- 1.2.2 Communities are more enabled to address local justice issues
- 1.2.3 Less conflict and violence in communities
- 2.1.1 Disproportionate impacts are identified and remedied when drafting new policies and legislation
- 2.1.2 Disproportionate impacts of existing justice policies and legislation are identified and remedied
- 2.2.1 Fewer young people become involved with the criminal justice system
- 2.2.2 An individual's first contact with the criminal justice system is also their last
- 2.3.1 More people are diverted from further contact with the criminal justice system
- 2.3.2 Fewer people are remanded into custody
- 2.3.3 More people successfully address fines, warrants and/or meet conditions of orders and sentences
- 2.4.1 People build resilience whilst in contact with the justice system
- 2.4.2 Drivers of people's offending are addressed whilst in contact with the justice system
- 2.4.3 People are supported to transition from the justice system and reintegrate into their communities
- 3.1.1 Justice programs and services are more culturally safe, responsive, inclusive and effective
- 3.1.2 More people are able to access justice programs and services that are trauma informed, restorative and therapeutic
- 3.2.1 Aboriginal community controlled organisations are enabled to deliver a growing share of justice programs and services
- 3.2.2 A stronger, skilled and supported Aboriginal justice workforce
- 4.1.1 Independent oversight of Aboriginal justice outcomes
- 4.1.2 Increased Aboriginal community ownership of and access to data
- 4.2.1 Aboriginal people have greater roles in leadership, governance and decision making
- 4.2.2 Resource allocation reflects Aboriginal community priorities

Strong and safe Aboriginal families and communities

Goal	1.1 Aboriginal families are strong and resilient
Outcomes	1.1.1 People are more connected to their family, community, country and culture
	1.1.2 Families are enabled to address justice issues and minimise the effects of crime and justice system involvement
	1.1.3 Families have greater awareness and ability to protect their civil rights

Families are the heart of Aboriginal communities. Families are important for defining identity and building connectedness to community and to culture, which are critical to ensuring Aboriginal peoples' social and emotional wellbeing. Nurturing these protective influences can reduce the risk of criminal justice system involvement. In addition, these connections can promote resilience, with supportive family networks more able to respond to emerging issues.

Rather than focussing purely on individual needs, justice programs and services need to respond to both the broader and local contexts in which people live to be effective. Understanding the holistic circumstances of Aboriginal people in contact or at risk of contact with the justice system will assist to better identify and cater to their specific needs.

To be strong and safe, Aboriginal families and communities also need to be confident in exercising their rights. Aboriginal families often have difficulty accessing justice services, particularly those that protect their civil rights. Aboriginal people are under-represented in their use of civil justice services due to relatively low levels of awareness, and reluctance to be involved in 'court-like' processes. Improving awareness of, and access to the mechanisms that protect civil rights will reduce vulnerability to homelessness, elder abuse and consumer abuse.

Strategies



Incorporate cultural strengthening approaches into justice services and programs to enhance positive connections to family, community and kin and improve strength, resilience and wellbeing.



Provide family-centred responses that coordinate support for families, when family members are involved in the justice system, to enhance their capacity to heal from trauma, and improve parenting, relationship, communication and problem solving capabilities.



Increase use of civil justice services by Aboriginal stakeholders through community engagement and outreach, and improving the cultural safety of these services.

Existing initiatives:

- Sisters Day Out, Dilly Bag and Young Luv: prevention and early intervention activities for Aboriginal women vulnerable to, or who have experienced, family violence.
- Ngarra Jarranounith Place: supports Aboriginal men through a range of therapeutic family violence and personal development programs.
- Statewide Aboriginal legal services to assist victim survivors and perpetrators with family violence matters.
- Koori Conveners and Koori Family Hearing Days in the Family Division of the Children's Court.
- *Wungurilwil Gapgapduir* initiatives to address the over-representation of Aboriginal children in child protection and care, and ensure they remain better connected to culture, country and community.
- Early Childhood initiatives that assist parents to support Aboriginal children's learning and development from pre-birth to school age, including Koorie Families as First Educators, Koorie Supported Playgroups, In Home Support and Home Based Learning.
- Koori Engagement Officer and awareness campaign to promote Aboriginal engagement with the Victorian Civil & Administrative Tribunal (VCAT).

New opportunities:

Over five years we will:

- Collaborate across government departments to design and deliver family centred approaches for Aboriginal clients with complex needs across multiple systems, and ensure justice responses are aligned and integrated with developments in:
 - Aboriginal child protection and out-of-home care
 - family violence integrated support and safety hubs
 - child and family services sector reform
 - Gathering Places.
- Build awareness of and respect for Aboriginal cultural rights.
- Increase the number of Aboriginal staff working in VCAT and further promote Aboriginal engagement with VCAT across the community.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Promoting strengths based media representations of Victorian Aboriginal communities.
- Increasing the number of Koori Conveners and Children's Courts providing Marram-Ngala Ganbu – Koori Hearing Days.

Strong and safe Aboriginal families and communities

Goal	1.2 Aboriginal communities are safer
Outcomes	1.2.1 Victims and witnesses are better supported to manage and minimise the effects of crime
	1.2.2 Communities are more enabled to address local justice issues
	1.2.3 Less conflict and violence in communities

The survival of Aboriginal communities in the face of great adversity is testament to their strength. Aboriginal communities have great potential to nurture and protect, however there are high rates of conflict and violence in some communities. Aboriginal people, especially women and children, are disproportionately affected by family violence, and rates of victimisation, violence and offending in the Aboriginal community continue to rise.

Aboriginal definitions of family violence are broad. In addition to high rates of violence among immediate family members, Aboriginal communities experience lateral violence, whereby abuse occurs between members of the same family, extended family, kinship networks and/or other community members. The roots of lateral violence lie in colonisation, oppression, intergenerational trauma, powerlessness and ongoing experiences of racism and discrimination. Experiencing violence, being in an environment where personal safety is at risk, or in a social setting where violence is common, has negative effects on individuals and communities.

Being a victim or witness to crime is often the first contact Aboriginal people have with the justice system and is known to increase the likelihood of future offending. A more intensive and targeted approach to safety in Aboriginal communities is required. Building strong and safe communities is an important foundation for both the wellbeing of Aboriginal people and the prevention of crime. Safe communities are places in which people experience empowerment, security, pride, wellbeing and resilience.

Stronger communities are more able to address local issues. Evidence from the evaluation of AJA3 tells us that strong local leadership, joined-up and collaborative approaches between justice agencies, service providers and the Aboriginal community delivering flexible services that are appropriate to the local context are critical to success.

Strategies



Meet the specific needs of Aboriginal victims and witnesses of crime, particularly children. Provide culturally-informed support and enable access to the services they need to ensure healing can occur.



Empower Aboriginal communities to identify the justice and community safety issues in their local areas and determine their own solutions.



Increase the capacity of Aboriginal communities to respond to disputes through community-led initiatives in areas including family and lateral violence prevention, mediation and dispute resolution.

Existing initiatives:

- Aboriginal Support Workers in the Victims Assistance Program.
- Aboriginal Dispute Resolution Workers and Mediators.
- Conflict resolution and lateral violence workshops for Aboriginal communities and Aboriginal community organisations.
- Victoria Police Aboriginal Community Liaison Officers: community engagement and relationship building.
- Local Aboriginal Justice Action Committees.
- Grants for community organisations to improve community safety.
- Djirra Women's Place: an integrated case management service for Aboriginal women.

New opportunities:

Over five years we will:

- Support Aboriginal communities to develop and implement projects that respond to local justice issues and needs.
- Work collaboratively with the Victims Assistance Program's Aboriginal Support Workers to strengthen pathways for Aboriginal children to access the Child Witness Service when needing to attend court as a result of being a witness to a violent crime.
- Recruit additional Aboriginal Victims Assistance Support Workers in the Victims Assistance Program resulting in 9.3 FTE by 2021.
- Enhance access to supports for Aboriginal victims of crime and improve links between local Aboriginal and mainstream services using the case management support model.
- Build capacity in mediation skills within ACCOs and for community members to help resolve local disputes before they escalate.
- Deliver lateral violence awareness workshops for Aboriginal youth.
- Resume the Koori Family Violence and Victim's Support Program within the Magistrates' Court.
- Develop and trial a Specialist Koori Family Violence Court Model drawing on best practice and current problem solving court principles.
- Strengthen the Koori Victims of Crime Assistance Tribunal list to increase resource capacity and ensure the demand of Aboriginal applications for assistance is met.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Restorative justice responses, such as healing circles and group conferencing across the criminal justice system.
- Community-based Aboriginal victim support models for trial in select sites.

Fewer Aboriginal people in the criminal justice system

Goal	2.1 Aboriginal people are no worse off under justice policies and legislation
Outcomes	2.1.1 Disproportionate impacts are identified and remedied when drafting new policies and legislation
	2.1.2 Disproportionate impacts of existing justice policies and legislation are identified and remedied

As a result of existing over-representation in the criminal justice system, the interconnected issues of high levels of socioeconomic disadvantage, historical issues related to trauma and continued experiences of racism, there have been disproportionate consequences for the Aboriginal community in the wake of legislative reforms in Victoria. These reforms, including amendments to suspended sentences, community corrections and parole, were implemented to improve community safety in Victoria.

These changes are associated with increasing numbers of people under justice supervision in Victoria, rapid growth in remand populations, and fewer people on parole. Growth in Aboriginal involvement in the justice system and imprisonment rates, both male and female, far exceeds that for the non-Aboriginal population.

Reducing over-representation requires heightened consideration of the potential impacts of new legislation, and legislation already in place may be reducing opportunities for Aboriginal people to participate fully in economic and social life.

Strategies



Ensure Aboriginal perspectives inform the development of new justice policies and legislation, and the likely impacts on Aboriginal communities are identified and addressed.



Remedy the unfair impacts on Aboriginal people of existing and historical legislation to ensure rights are protected and negative impacts are addressed.



Facilitate consideration of an Aboriginal person's life experience and history; and information regarding alternative options, to increase culturally appropriate legal responses in a variety of justice settings.

Existing initiatives:

- Victoria's *Bail Act 1977* requires decision-makers determining whether to bail or remand a person to take into account any issues that arise due to the Aboriginality of the accused.
- Additional protections for Aboriginal people in bail processes through the commencement of the *Bail Amendment (Stage Two) Act 2018*.
- A legislative youth diversion scheme that allows children in the Children's Court and the Children's Koori Court to be diverted from the criminal justice system.
- Introduction of Youth Control Orders that provide intensive community-based monitoring and supervision for young offenders and ensure their participation in education, training or work.

New opportunities:

Over five years we will:

- Introduce legislation to clarify that relevant historical care and protection orders made by courts under historical children's welfare legislation are not to be treated as convictions or findings of guilt.
- In progressing the recommendations for legislative reform made in *Meeting needs and reducing offending: Youth Justice review and strategy*, specifically the creation of a new Youth Justice Act, consider mechanisms for Aboriginal involvement.
- Research the impact of the 2017-18 bail reforms on Aboriginal accused.
- Involve Aboriginal community representatives in the review of family violence policies and processes.
- Trial Aboriginal Community Justice Reports modelled on Canada's Gladue reports⁵² to provide information to judicial officers about an Aboriginal person's life experience and history that impacts their offending; and to identify more suitable sentencing arrangements to address these underlying factors.
- A formal apology that acknowledges how historical recording practices for children removed from their homes may have affected care leavers.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Amending the *Sentencing Act 1991* to take into account Aboriginality and the use of pre-sentence reports.
- Mechanisms to identify the potential impact of new justice policies and legislation on Aboriginal Victorians.

Fewer Aboriginal people in the criminal justice system		
Goal	2.2	Fewer Aboriginal people enter the criminal justice system
Outcomes	2.2.1	Fewer young people become involved with the criminal justice system
	2.2.2	An individual's first contact with the criminal justice system is also their last

The underlying causes of offending for young people are complex. Offending behaviours often stem from a history of trauma, abuse, neglect, involvement with the child protection system, disengagement from education and training, drug and alcohol misuse and mental health issues. The risk of involvement in the criminal justice system is exacerbated when parental incarceration or other circumstances such as family violence results in children entering the child protection system, and in particular out of home care. These children often find themselves in police custody for relatively minor behavioural infractions that occur while in care, and are at greater risk of losing contact with their parents, offending and becoming involved in the juvenile justice system themselves⁵³. These risks are particularly significant for Aboriginal children, whose first interaction with the justice system may be as victims of violence or abuse. This concerning and intergenerational cycle of disadvantage and trauma is one of the most compelling reasons for prevention and early intervention for Aboriginal children and young people.

Aboriginal young people currently experience a rapid trajectory into the youth justice system due to a lack of effective and appropriate diversionary options. Magistrates are often willing to divert young people whose offending is of a lower scale but have limited options for ongoing community-based diversion programs to refer them to. Community-based youth diversion programs can provide alternatives to youth justice supervision at lower cost, however their real value is in the benefits that accrue from keeping children and young people out of the criminal justice system in the long-term. Where community-based Koori youth justice programs are available, increasing numbers of Aboriginal young people are accessing them.

Strategies



Meet the particular needs of vulnerable children and young people in out of home care due to family violence and support them to access the services they need to avoid future involvement with the criminal justice system.



Provide tailored therapeutic responses, where appropriate, when young people do come in contact with the criminal justice system. Incarceration should only be used as an absolute last resort.



Identify and implement actions to reduce the amount of time children and young people spend in police stations and cells.



Identify and develop options for safe spaces so that children and young people are not at further risk, or unduly associated with sentenced offenders and/or adults, if remand is required.

Existing initiatives:

- Koori Early School Leavers Program.
- Community Based Koori Youth Justice Workers support young Aboriginal people at risk of offending, as well as those on community-based and custodial orders.
- Koori Youth Cautioning Projects.
- Koori Women's and Adult Pre-Charge Diversion in Mildura and Latrobe.
- Education justice initiatives, including Children's Koori Court Liaison Officers, to connect young people appearing before the courts to an appropriate supported education pathway.
- Education State initiatives to assist disengaged Aboriginal students to better engage and re-engage in education and training, including LOOKOUT Centres, Navigator and Reconnect, and *Marrung* initiatives.
- Grants for community organisations to support Aboriginal children and young people at risk of contact with the criminal justice system.

New opportunities:

Over five years we will:

- Expand the Victoria Police Koori Youth Cautioning Program from two to four sites.
- Develop legislation for the requirement of a Custodial Notification Service so that Aboriginal organisations are notified when an Aboriginal person is taken into custody (in line with other jurisdictions).
- Support successful evidenced based programs delivered by ACCOs to prevent Aboriginal children and youth becoming involved in the criminal justice system.
- Support community policing approaches that support crime prevention initiatives and link victims with support services.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Making the Koori Youth Cautioning Program, Koori Women's and Adult Pre-Charge Diversion Programs available in more locations across the state.

Fewer Aboriginal people in the criminal justice system

Goal	2.3 Fewer Aboriginal people progress through the criminal justice system
Outcomes	2.3.1 More people are diverted from further contact with the criminal justice system
	2.3.2 Fewer people are remanded into custody
	2.3.3 More people successfully address fines, warrants and/or meet conditions of orders and sentences

The further someone progresses through the justice system, the harder it is for them to change their offending behaviours and avoid future contact with either prison or community corrections. Of particular concern is the growing number of Aboriginal people spending periods of time in prison on remand but who ultimately do not receive custodial sentences. A wide range of negative outcomes have been shown to impact Aboriginal people who are remanded in custody, including separation from family and community, disruption to education and employment, association with sentenced offenders, and not being able to access therapeutic programs. For young people, particularly those on care and protection orders, there are additional concerns around being inappropriately held in police cells or facilities that are not designed to meet their needs.

Given the high daily costs of incarceration, remand is both expensive and ineffective, increasing rather than decreasing the likelihood of future involvement with the criminal justice system. To date, diversion has largely focussed on children and young people at early stages of contact, but opportunities are also required for adults and people more deeply involved in the criminal justice system. For those who have fines, warrants or an order, more needs to be done to help people to successfully complete these.

Strategies



Provide flexible options for Aboriginal people with outstanding fines and warrants to address them in community-based settings.



Support alleged offenders to obtain and comply with bail conditions to avoid unnecessary periods on remand.



Establish culturally-appropriate bail support and diversion programs so police and magistrates have viable alternatives to incarceration prior to sentencing.



Support adults and youth with supervised community based orders and Family Violence Intervention Orders through flexible and intensive case management, to reduce breaches.



Support holistic, family-centred models and programs specifically designed for Aboriginal women in the justice system, with a focus on diversion and remand.

Existing initiatives:

- Aboriginal workers within the Courts Integrated Services Program (CISP) assist accused persons to access support and services to reduce re-offending.
- Koori Women's Diversion Program: intensive case management and support for Aboriginal women referred from the criminal justice system.
- Koori Intensive Support Program: assists young people to comply with bail conditions or conditions placed on deferred sentences.
- Aboriginal Community Fine Initiative (ACFI) and Sheriff's Aboriginal Liaison Officer (SALO) Program: assists Aboriginal people to address their infringement debt.
- Local Justice Worker Program: supports for Aboriginal offenders to meet the conditions of their orders and connect with relevant community programs and services.
- Wulgunggo Ngalu Learning Place: a residential program to assist men to fulfil their Community Correction Orders.
- Baroona Youth Healing Place: a residential program for young Aboriginal men involved with or at risk of contact with the criminal justice system.

New opportunities:

Over five years we will:

- Deliver community-based, intensive diversion programs for Aboriginal children and young people who have had, or are vulnerable to involvement with the criminal justice system to address factors contributing to offending.
- Develop a residential bail support and therapeutic program for Aboriginal young people that builds upon the Baroona Healing Place model.
- Explore the feasibility of a residential program like Wulgunggo Ngalu Learning Place to provide cultural and gender-specific supports for Aboriginal women involved in the corrections system.
- Develop and implement cultural and gender-specific supports for Aboriginal women involved in the corrections system to obtain bail and avoid remand.
- Develop and implement an Aboriginal Youth Justice Strategy that addresses the specific recommendations to reduce Aboriginal over-representation in youth justice outlined in the *Youth Justice Review and Strategy: Meeting needs and reducing offending*.⁵⁴
- Continue to support the expanded Koori Youth Justice Program across the state to assist more Aboriginal young people in their communities and prevent Aboriginal children and youth becoming involved in the criminal justice system.
- Expand the ACFI and SALO program to include additional areas where SALOs and Fines Victoria staff can attend community events and provide direct assistance to Aboriginal community members to manage their infringements.
- Work with ACCOs to build support for the Work and Development Permit (WDP) Scheme and increase the number of WDP accredited sponsors.
- Improve referral pathways to Aboriginal service providers and additional support through Victoria Police E-referrals.
- Build and strengthen compliance support for Aboriginal adults on community-based orders.
- Provide greater support for Aboriginal accused on bail through the employment of an additional five Koori CISP Workers.
- Provide access to culturally safe mental health services for Aboriginal people who have a moderate mental health condition or disorder and who have a Community Correction Order with a Mental Health Treatment and Rehabilitation Condition or are on parole with a mandated mental health order.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Increasing the number of Koori CISP Workers with the aim of ensuring Aboriginal representation in the CISP workforce reflects the level of Aboriginal representation in the criminal justice system.
- A community-based support service to provide intensive case management for high risk Aboriginal young people on community supervision orders.
- Existing models or programs operating in the Aboriginal community to assist young people on parole and/or while transitioning out of the youth justice system, and examine their feasibility for expansion.
- Expansion of the SALO and ACFI programs to enable state-wide coverage.

Fewer Aboriginal people in the criminal justice system	
Goal	2.4 Fewer Aboriginal people return to the criminal justice system
Outcomes	2.4.1 People build resilience whilst in contact with the justice system
	2.4.2 Drivers of people's offending are addressed whilst in contact with the justice system
	2.4.3 People are supported to transition from the justice system and reintegrate into their communities

There is a high level of "churn" amongst Aboriginal people already involved in the justice system – meaning that a high number of offenders can be expected to re-offend and return to prison. The transition from prison back to the community is the time of highest re-offending risk with the majority of re-offending occurring within one year of release. A lack of transition supports is contributing to this risk. Barriers to gaining employment and housing are two of the greatest risks to successful reintegration. The barriers to employment for exiting prisoners are serious and include their criminal record, lack of skills, lack of recent work experience and poor education. Compounded by a lack of stable housing, these two factors combine to quickly produce circumstances likely to lead to re-offending.

When people are under justice supervision there is an opportunity to work with them to address their offending behaviours. Behaviour change programs for Aboriginal people need to be culturally-safe and culturally-specific, and made widely available in all parts of the system. Rehabilitation programs for moderate-risk and high-risk Aboriginal offenders, especially in the areas of violence intervention and alcohol and drug misuse, are particularly required.

Strategies



Address underlying causes of offending through healing and trauma-informed approaches that explore the intergenerational experiences of people affected by violence, strengthen protective factors and increase coping strategies.



Address environmental drivers of offending by delivering transition services that provide comprehensive and effective supports for people leaving the justice system, such as links to stable and safe housing and referrals to culturally specific employment programs.



Use cultural strengthening approaches to build resilience to setbacks, and to develop strategies for dealing with hardships.



Address individual drivers of offending while in custodial environments such as drug and alcohol use and mental health.



Work with families, children, young people and communities to ensure good transition from Youth Justice back to community, including exploring family healing programs and linking children and young people from youth justice into education/training.



Establish a specialist response to address the significant growth in the Aboriginal un-sentenced prisoner population with a strong focus on holistic supports and cultural strengthening.



Support Aboriginal people in, or at risk of entering the community corrections system for whom unaddressed mental illness is a significant contributing factor.

Existing initiatives:

- Kaka Wangity Wangin-Mirrie Cultural Programs delivered by ACCOs for Aboriginal people in prisons or on Community Correction Orders.
- Community-based demonstration project to improve mental health outcomes for Aboriginal people with moderate to severe mental illness who are in or at risk of entering community corrections.
- Prison Education Programs to improve post-prison education and employment opportunities.
- Continuity of Aboriginal Health Care Pilot to support people exiting prison to access health care services in the community.
- Transitional Housing Project to establish transition accommodation for Aboriginal people.
- *Balit Murrup* initiatives to increase the workforce available to deliver culturally responsive, trauma-informed services that can address the social and emotional wellbeing and mental health needs of Aboriginal people, such as Clinical and Therapeutic Mental Health Positions in ACCOs, and an Aboriginal Mental Health Traineeship Program.

New opportunities:

Over five years we will:

- Provide mentoring programs and in-reach Elder support for Aboriginal children and young people in Youth Justice Centres.
- Establish Connecting to Country project at Malmsbury Youth Justice Centre.
- Explore the development of a culturally-responsive Multi-systemic Therapy (pilot initiative) that addresses the multiple determinants of antisocial behaviour by Aboriginal young people.
- Strengthen pre and post release cultural supports for Aboriginal adults in prison including an Elders Mentoring Program.
- Deliver the Time to Work Employment Service to Aboriginal people in prison to provide the support they need to prepare to find employment and reintegrate into the community upon their release from prison.
- Continue to support the Statewide Indigenous Arts in Prison and Community Program delivered by The Torch which supports cultural strengthening and economic development opportunities for Aboriginal people as emerging artists.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Employment options for Aboriginal people exiting the criminal justice system, including opportunities to develop skills and undertake training on Country.
- Ways to address the specific needs of Aboriginal people in prison who are un-sentenced and those with short sentences.
- Culturally appropriate, holistic health care models in prisons including:
 - Extending the Continuity of Health Care Pilot and the Continuity of Care strategy to improve health outcomes for Aboriginal people in custody and post-release
 - Cultural safety training for health service providers in the adult and youth justice systems
 - Trauma and grief-informed health services in prisons
 - An Aboriginal Healing Unit.

A more effective justice system with greater Aboriginal control

Goal	3.1 The needs of Aboriginal people are met through a more culturally safe system
Outcomes	3.1.1 Justice programs and services are culturally safe, responsive, inclusive and effective
	3.1.2 More people are able to access justice programs and services that are trauma informed, restorative and therapeutic

Good access to culturally-appropriate service responses for Aboriginal people is required to improve justice outcomes. There are many barriers preventing the Aboriginal community from engaging with justice services. This has been confirmed in a number of reviews including the Victorian Government's Access to Justice Review, which clearly articulated that the needs of Aboriginal people are currently inadequately addressed. Areas highlighted by the review include high levels of mistrust of the law and government, translating into unmet legal need and intensifying disadvantage and exclusion from the justice system; and avoidance and delay in seeking assistance because of shame, lack of knowledge and fear of repercussions. Aboriginal women are recognised as one of the most disadvantaged groups in Australia facing significant barriers to accessing justice services, including lack of awareness of rights and options.

The importance of cultural safety in the provision of services to Aboriginal people cannot be underestimated. A culturally-safe system is one in which people feel safe, where there is no challenge or need for the denial of their identity, and where their needs are met. A culturally-responsive system is one in which non-Aboriginal people take responsibility to understand the importance of culture, country and community to Aboriginal health, wellbeing and safety, by working with Aboriginal communities to design and deliver culturally-responsive services.

Strategies



Enable Aboriginal stakeholders to self-determine program outcomes, design, deliver and evaluate justice services for Aboriginal people.



Ensure that protection of cultural rights, protocols, principles, ethics and standards underpin all justice business.



Strengthen human rights protections for Aboriginal people involved in justice programs and services.



Build the capacity of justice services to provide family-centred, wrap around, holistic programs and services that promote the healing of the individual and contribute to the wellbeing of the community.



Justice agencies focus on improving the social and emotional wellbeing of Aboriginal individuals and communities as a critical outcome of their work.

Existing initiatives:

- Magistrates', Children's and County Koori Courts.
- Aboriginal roles and courts hearing days in the Neighbourhood Justice Centre.
- Aboriginal cultural spaces in prisons and Youth Justice Centres.
- Consumer Affairs Aboriginal Liaison Officer.
- Aboriginal Community Justice Panels: support the safety of Aboriginal people who are taken into police custody.
- Yarrwul Loitjba Yapaneyepuk: Department of Justice and Regulation Koori Inclusion Action Plan.
- Aboriginal Social and Emotional Wellbeing Plan to improve the mental health and wellbeing of Aboriginal people in prison.
- Department of Justice and Regulation Koori Cultural Respect Framework.

New opportunities:

Over five years we will:

- Expand Koori Courts to additional locations across three jurisdictions: County Court, Magistrates' Court and the Children's Court.
- Enhance support for Aboriginal Community Justice Panels and their volunteers so they can assist Aboriginal people in police custody in more locations.
- Deliver workforce training to ensure staff understand Aboriginal experiences of family violence.
- Mandate Aboriginal Cultural Awareness Training for all Bail Justices.
- Ensure staff in justice agencies take human rights into account when making decisions.
- Commence hearing contraventions of family violence intervention orders in at least one pilot Magistrates' Koori Court location.
- Recruit a designated Koori Registrar in the Coroners Court to ensure coronial practices are both culturally aware and appropriate.
- Review and co-design the Koori Independent Prison Visitor Scheme to enable greater representation of Aboriginal community volunteers in the Scheme.
- Develop cultural safety standards for health services in the adult and youth justice systems.
- Recruit an additional Aboriginal Liaison Officer to assist Aboriginal children and young people in Youth Justice Centres.
- Maintain and improve the Koori Garden at Parkville Youth Justice Centre.
- Respond to the recommendations of the AJA3 Place-Based Evaluation, particularly in the design and development of new place-based initiatives under this Agreement.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- A culturally appropriate model for a multi-jurisdictional therapeutic and specialised healing court for Aboriginal accused with multiple and complex needs.
- Support for Aboriginal Elders to provide cultural advice in the Coroner's Court.
- Options for providing court programs in community settings.
- Building the presence of Aboriginal culture in courts with place naming, language, increasing the role of Elders, and displaying Aboriginal and Torres Strait Islander flags and artefacts.
- Establishing Koori Liaison Officer roles that can operate across court jurisdictions, including Magistrates' Court locations without Koori Courts.
- Continuing the Aboriginal Education and Research Officer position within the Judicial College of Victoria to improve the cultural competency of courts and tribunals.
- Research projects to identify success factors for program delivery to Aboriginal offenders and improve the evidence base.

A more effective justice system with greater Aboriginal control

Goal	3.2 A strong and effective Aboriginal community controlled justice sector
Outcomes	3.2.1 Aboriginal controlled organisations are enabled to design and deliver a growing share of justice programs and services
	3.2.2 A stronger, skilled and supported Aboriginal justice workforce

Aboriginal community organisations are crucial to the delivery of *Burra Lotjpa Dunguludja* not only because they deliver essential services to the community but because they represent the community voice to the partnership. Increasing Aboriginal community control of justice services will ensure that services are tailored to each community's particular priorities and goals, and deliver culturally appropriate solutions driven by the local community. Increasing Aboriginal community control is not just about increasing the capacity of the Aboriginal sector, but is also about enabling the government sector to relinquish control and work with community agencies in new and innovative ways.

The Aboriginal justice workforce is skilled and resilient. Aboriginal staff working in justice services understand the needs of their communities, and are able to impart their knowledge when caring for and supporting Aboriginal people. Their presence offers confidence and trust to Aboriginal service users. An increased Aboriginal workforce with the leadership skills necessary to participate in genuine decision-making that affects them is required. Ongoing professional development and leadership opportunities for Aboriginal staff in both government and community sectors needs to be prioritised.

Strategies



Develop clear career pathways within and between ACCO and government justice worker roles so that there are Aboriginal people working at all levels of all sectors (government, community, not-for-profit).



Provide ongoing professional development and leadership opportunities for Aboriginal staff in both government and community sectors.



Build capacity of justice agencies to understand and implement plans for greater Aboriginal community self-determination in their services.



Build capacity of ACCOs to deliver justice programs and services for the Aboriginal community.

Existing initiatives:

- Aboriginal employment policies and strategies across Victorian government departments and agencies, Court Services Victoria and Victoria Police.
- Support for Aboriginal legal professionals and students through Tarwirri Indigenous Lawyers Association.

New opportunities:

Over five years we will:

- Review grants processes, including how to improve sustainability and support for community agencies to monitor, track and evaluate their own programs.
- Deliver the Aboriginal Risk-based Compliance and Facilitated Assistance Program to improve governance within Aboriginal incorporated associations and co-operatives that are registered with Consumer Affairs Victoria.
- Implement strategies in the Koori Employment and Career Strategy 2017-2020 across the Department of Justice and Regulation.
- Introduce culturally-appropriate debriefing and vicarious trauma debriefing as part of the Court Services Koori Employment Strategy.
- Develop an Aboriginal Justice Workforce Development Strategy that identifies ways to:
 - create career development pathways for Aboriginal staff to move into more senior roles
 - support ACCOs to undertake workforce development to build capacity of Aboriginal staff working in the justice sector
 - develop a public and community sector secondment program
 - develop an Aboriginal justice qualification.
- Provide professional development and networking opportunities for the Koori Youth Justice workforce and support a Koori Graduate Program in Youth Justice.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Opportunities to move towards an Aboriginal community-controlled Community Corrections, which could include a regional pilot for Aboriginal Case Managers to work out of ACCOs and building capacity of ACCOs to move towards administration of Community Correction Orders.
- Legislative changes required to existing Acts to further self-determination across the justice sector.

Greater self-determination in the justice sector	
Goal	4.1 Greater accountability for justice outcomes
Outcomes	4.1.1 Independent oversight of Aboriginal justice outcomes
	4.1.2 Increased Aboriginal community ownership of and access to data

The evaluation of AJA3 found that one of the greatest achievements of the AJF is that it has facilitated and enabled the development of strong and durable relationships between agencies and with members of the Victorian Aboriginal community. The partnership has come a long way since it first formed in 2000 and there are now high levels of trust between the partners. This has not led to complacency on the part of any of the partners, and there remains a high demand for accountability, particularly driven by the community, for outcomes being achieved.

Underpinning greater accountability is a need for better access to data that can inform the design and delivery of key initiatives. In the past, data collected about Aboriginal people have commonly been defined by governments and research institutes rather than being determined by Aboriginal people. Adopting an Aboriginal self-determined approach will shift approaches to monitoring and evaluation. Data should be made more available to Community to ensure that it has all the information it needs about its own affairs, and to promote trust with government.

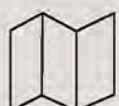
Strategies



Establish independent mechanisms to oversee, monitor, and report to Parliament on the achievement of improved justice outcomes for Aboriginal people in Victoria.



Make up to date justice data more readily available to Community and improve the quality of program and administrative data so that it provides clearer and more accurate description of program use and effectiveness for Aboriginal people.



Enable full participation of Aboriginal people in AJA evaluation work, ensuring Aboriginal input into all aspects of the evaluation, including the design, ownership of data, data interpretation and publication of findings.

Existing initiatives:

- Aboriginal Justice Data Dashboards.
- Monitoring, evaluation and reporting framework for AJAs.
- Reporting on RAJAC and agency action plans to the AJF.

New opportunities:

Over five years we will:

- Establish a Youth Justice Taskforce to research and review cases of Aboriginal young people in the criminal justice system.
- Develop an AJA Partnership Accountability Framework.
- Improve collection and availability of Aboriginal justice data:
 - Develop minimum data set for AJA programs
 - Reduce the rate of unknowns in Victoria Police Standard Indigenous Question response data
 - Improve collection and reporting of diversions data
 - Improve collection and reporting of Aboriginal family violence data
 - Access relevant data sharing/linkage projects
 - Implement the Court Services Victoria Data Collection and Improvement Project.
- Establish Aboriginal governance structures for AJA program evaluations to ensure AJA initiatives are evaluated based on criteria that reflect Aboriginal values and measures of success.
- Develop an AJA digital presence to provide accessible information on the implementation of AJA plans, and achievement of outcomes.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- The possible creation of an independent Aboriginal Justice Commissioner, including its role and scope in informing and overseeing justice outcomes for Aboriginal people.

Greater self-determination in the justice sector

Goal	4.2 Greater Aboriginal community leadership and strategic decision making
Outcomes	4.2.1 Aboriginal people have greater roles in leadership, governance and decision making
	4.2.2 Resource allocation reflects Aboriginal community priorities

Moving self-determination from rhetoric to reality requires Aboriginal communities to have the power and resources to make decisions that deliver their aspirations. Aboriginal communities need to set the priorities, design and implement policies and programs, and to allocate resources. Aboriginal people as decision-makers is central to the principle of self-determination.

The evaluation of AJA3 found that it is strong community leadership that has driven the success of the Agreement over the past five years across Victoria. Where there are a number of community leaders engaged, and more importantly, a number of young leaders with the skills and capacity to step into leadership roles, there tend to be better results. Encouraging and attracting greater involvement by the community at all levels, but particularly as leaders, is crucial to the development and implementation of place-based initiatives that are responsive to community needs. When Aboriginal people are involved in program design and delivery of services, better outcomes are achieved through culturally-appropriate services and solutions.

Progressing self-determination necessitates new and enhanced roles for the Aboriginal partners of the AJA and AJF. As the self-determination agenda progresses and the community's responsibilities increase, the Aboriginal Justice Caucus need to be professionally supported to be able to engage fully and provide comprehensive policy input in this changing political landscape over the long-term.

Strategies



Enable Aboriginal stakeholders to self-determine program outcomes, design, deliver, and evaluate justice policy, programs and services for Aboriginal people, and lead the way on the strategic direction for the AJA partnership.



Create opportunities for the voices of Aboriginal children and young people to be heard and contribute to decision-making on key justice policy, legislative and/or service developments that affect them.



Create more flexibility in funding and management to allow ACCOs to deliver services in their own way.



Protect the rights of Aboriginal people to control, protect, maintain, and develop their cultural heritage, including traditional knowledge and intellectual property.

Existing initiatives:

- Forums for members of the Aboriginal Justice Caucus to meet with senior government officials.
- Workshops with the Aboriginal Justice Caucus to identify policy and program priorities when proposing future resource allocations.
- A funded Aboriginal Justice Caucus Secretariat.
- Courts Koori Portfolio Committee.
- Regional Aboriginal Justice Advisory Committees.

New opportunities:

Over five years we will:

- Fund additional capacity to support the Aboriginal Justice Caucus to increase their participation and justice leadership role in government processes, policy and program design.
- Develop the overarching AJA4 Journey to Self-determination in Justice Plan.
- Develop a self-determination framework in Victoria Police.
- Strengthen engagement of internal and external Aboriginal stakeholders in the development of responses to family violence.
- Provide leadership and governance training/workshops for Regional Aboriginal Justice Advisory Committees and Local Aboriginal Justice Action Committees.
- Support Aboriginal decision-making at senior levels across the justice portfolio.
- Provide leadership development opportunities for young Aboriginal women within the youth justice system.
- Review and refresh existing AJA governance structures to ensure they are strategic, effective, focus on problem solving, and amplify Aboriginal voices, particularly those of young people.
- Introduce a regular partnership survey to gather views on the performance (strengths and weaknesses) of the AJA partnership.

Future possibilities:

We will continue to work with Aboriginal communities to consider:

- Amending the Human Rights Charter to give greater recognition to the importance of self-determination for Aboriginal people, and to include a right to birth registration, as recommended in the Review of the *Charter of Human Rights and Responsibilities Act 2006*.

Governance, implementation and accountability

The Partnership

Partnership principles

The partners to this Agreement are committed to:

1. Self-determination for Aboriginal peoples.
2. Developing long-term sustainable relationships based on trust.
3. Respecting Aboriginal knowledge, history, lived experience and connections to community and country.
4. Shared responsibility and accountability for outcomes and actions.
5. Redressing structures, relationships and outcomes that are unequal, racist and/or discriminatory.
6. Recognising Aboriginal cultural rights, protocols, principles, ethics and standards.
7. Working differently with Aboriginal peoples, recognising that mainstream approaches are frequently not the most appropriate or effective.
8. Collaborating with community to co-design services to achieve collective impact. Using a self-determination approach means that government does not have exclusive ownership of issues.
9. Improving long-term well-being for Aboriginal children, families and communities.
10. The RCIADIC principles of arrest and imprisonment as sanctions of last resort.

Strengthening the partnership

Things have changed since the first AJA was established in 2000. Most government agencies have developed portfolio-specific strategies to address Aboriginal disadvantage, and have established partnership governance structures. The consequence of this is an increased demand on Aboriginal people to participate in a broader range of forums and partnerships. Community representatives are now having to make decisions about how to prioritise their time and where their input will have the greatest impact. Changes to other Aboriginal community-government partnership structures will need to be considered over the life of *Burra Lotjpa Dunguludja* to ensure it remains relevant, and to support greater Aboriginal decision making.

The evaluation of AJA3 made a number of recommendations to build and strengthen the already robust partnership. These findings and recommendations will see the governance structures of *Burra Lotjpa Dunguludja* evolve and improve over the life of the Agreement.

Roles and responsibilities

Aboriginal Justice Forum

The AJF will continue to bring together the most senior representatives of Victoria's Aboriginal communities and the justice, human services, health and education government portfolios in order to oversee the development, implementation, monitoring and direction of this Agreement. The strength of the AJF is acknowledged as a mechanism for ensuring transparency and high levels of accountability for Aboriginal justice outcomes. The AJF will provide strategic oversight of this Agreement, drive implementation, collaborative action and maintain high-level commitment to achieving our desired outcomes and goals.

Aboriginal Justice Caucus

The Aboriginal Justice Caucus (formerly known as Koori Caucus) is made up of the Aboriginal community members of the AJF. Aboriginal Justice Caucus meetings provide opportunities for members to discuss issues, share ideas and experiences, problem solve and develop a common view on key issues prior to reporting to the AJF. As in the past, members of the Aboriginal Justice Caucus will be engaged in all justice agency working groups and project committees to ensure Aboriginal input into all facets of this Agreement and its implementation.

Regional Aboriginal Justice Advisory Committees

The nine RAJACs will be instrumental in developing and maintaining strong partnerships and plans between Aboriginal communities and justice agencies that are crucial to successfully implementing this Agreement across Victoria. RAJACS operate in each justice region:

- Barwon South West
- Gippsland
- Grampians
- Eastern Metropolitan
- Northern Metropolitan
- Southern Metropolitan
- Hume
- Loddon Mallee
- Western Metropolitan

RAJACs also play a particularly important role in building community participation and involvement in AJA related work, advocating for program and service changes to improve justice outcomes, providing advice and expertise in the development and implementation of place-based initiatives and ensuring regional issues are raised and responded to via the AJF.

Local Aboriginal Justice Action Committees

Local Aboriginal Justice Action Committees exist across Victoria to enable local justice issues to be identified and resolved locally. Like RAJACS and the AJF, LAJACs bring together local Aboriginal community members, justice agency staff and judicial representatives to develop and inform local responses to Aboriginal justice and community safety issues. LAJACs promote Aboriginal participation in the design, development, implementation and evaluation of local justice initiatives, promote justice programs and services across Aboriginal communities, and provide local knowledge and advice to inform AJA related work.

Currently, LAJACs operate in:

- Barwon South West (Geelong; Glenelg; Warrnambool);
- Gippsland (East Gippsland; Latrobe);
- Hume (Shepparton, Wodonga) and
- Loddon Mallee (Bendigo; Echuca; Mildura; Robinvale; Swan Hill)

Koori Justice Unit

The Koori Justice Unit (KJU) within the Department of Justice and Regulation is responsible for coordinating the development and delivery of Aboriginal justice policies and programs across the Victorian Government and justice agencies. The KJU builds capacity in the department and the Aboriginal community, to develop and deliver effective and efficient justice services and initiatives in partnership; provides advice to the Justice Executive, Ministers and staff across the department on issues impacting on Aboriginal communities across Victoria, advocates for ongoing improvement in the design and delivery of Aboriginal justice initiatives; monitors and evaluates Aboriginal justice initiatives; maintains a robust evidence base detailing Aboriginal involvement with criminal justice institutions; provides executive services to Justice Ministers and the Justice Executive and secretariat support and program implementation on behalf of the AJF.

Implementation

Burra Lotjpa Dunguludja will be activated through a comprehensive implementation plan that will detail the actions and initiatives to achieve the outcomes outlined in this document. The implementation of actions will be formalised through regional and agency action plans, and will be monitored and revised regularly in light of changing circumstances and priorities. The first plans will be developed in 2018, and refreshed periodically to reflect new knowledge, evidence and activity. The plans will show how we are tracking against our outcomes and progress will be tracked on our publicly accessible, easy-to-use website.

Burra Lotjpa Dunguludja

- **The vision**
- **Domains** articulate broad areas for actions aligned with achieving the vision.
- **Goals** show the difference we want to see
- **Outcomes** reflect desired changes for individuals, families, communities and the justice system
- **Strategies** are how we will achieve the desired outcomes

Implementation Plan

- **Actions** will turn the strategies into real initiatives on the ground and identify accountabilities and responsibilities.
- **Indicators** will define the change needed to progress towards an outcome and how they will be monitored.

Monitoring and evaluation

As with the previous Agreements, *Burra Lotjpa Dunguludja* will be monitored and evaluated to ensure transparency, accountability and continuous improvement. A monitoring and evaluation strategy will be developed that aligns with the outcomes framework, and will focus on:

- monitoring and measuring outcomes that reflect Aboriginal values and measures of success
- improving Aboriginal justice data collection, which is essential for establishing an evidence base and securing funding for AJA initiatives
- producing useful findings to inform future program design and policy.

The monitoring and evaluation strategy will support the ongoing implementation of initiatives and programs, inform future investments in justice responses, and enable better outcomes and decisions based on a strong evidence base.

Monitoring

Monitoring and reporting under *Burra Lotjpa Dunguludja* will be outcomes focussed, and primarily concerned with reporting the impact of AJA activities on key priority outcomes and related indicators. New indicators, particularly those relating to self-determination will need to be developed as this Agreement is implemented. Monitoring and reporting will also track program development and implementation to ensure that initiatives are on track.

Monitoring activities will include:

- a data improvement plan to improve the quality of Aboriginal justice data sets and improve the utilisation of data and existing evidence
- establishing a minimum program data set for all AJA programs and services
- developing surveys and/or other tools to monitor the 'health' of the AJA partnership and the degree to which self-determination has been enabled over time.

Evaluation

A critical role for evaluation under this Agreement will be to produce information that can help to strengthen and improve Aboriginal justice initiatives. Therefore, evaluation will focus on the ways in which AJA initiatives bring about change in order to inform broader work in Aboriginal justice beyond specific programs, including informing decisions around replication and continuation of innovative and effective approaches. Evaluation under this Agreement will include:

- using a program theory approach to explore how and why interventions generate outcomes
- outlining a minimum set of Key Evaluation Questions for any evaluations of AJA initiatives
- building evaluation capacity among community stakeholders as well as the capacity of government to commission and manage culturally responsive evaluations
- ensuring evaluation findings are communicated and made accessible to relevant stakeholders including prisoners, offenders and community members who are evaluation participants.

Evaluation Standards

Monitoring and evaluation activities should be consistent with the following standards to ensure they are respectful of Aboriginal values as well as accepted guidelines for conducting ethical research.⁵⁵

1. **Recognise the rights of Aboriginal people to self-determination** and to control, protect, maintain, and develop their cultural heritage, including traditional knowledge and intellectual property.
2. **Respect the right of Aboriginal people to full participation** in the evaluation, in line with their relevant skills and experiences. The specialist knowledge of particular community members and their potential contributions should be recognised, and involved wherever possible and appropriate. There should be Aboriginal input into all aspects of the evaluation, including the design, ownership of data, data interpretation and publication of findings.
3. **Accessible and culturally appropriate informed consent** processes that make clear when, how and who will be involved in the evaluation process, what information will be collected, how the information will be recorded and used, the likely risks and benefits arising from participation and the overall potential benefits of an evaluation.
4. **Acknowledge the diversity and uniqueness of Aboriginal communities, groups and individuals**, including different cultures, experiences, perspectives and languages. Evaluation activities should reflect the different perspectives and experiences and not generalise from one community to others or to all Aboriginal people.
5. **Agree on plans for the communication and use of evaluation results.** The ownership of evaluation results, and how they will be used, should be agreed at the start of the evaluation with relevant Aboriginal community members and/or appropriate Aboriginal community organisations.
6. **Adhere to all ethics and privacy policies** of the Department of Justice and Regulation.

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KOORI Strong
KOORI Proud
KOORI Justice
Victorian Aboriginal
Justice Agreement

Evaluation of the Aboriginal Justice Agreement – Phase 2

Final Report

May 2012

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1 Glossary of terms

1.1 Use of the term Koori

At the preference of the Aboriginal Justice Forum (AJF), the term Koori is used throughout this document, unless in reference to organisation or document names, or when quoting an individual or published work.

1.2 List of Acronyms

AAV	Aboriginal Affairs Victoria
ABS	Australian Bureau of Statistics
ACJP	Aboriginal Community Justice Panel
ACLO	Aboriginal Community Liaison Officer
AFVPLS	Aboriginal Family Violence Prevention and Legal Service
AJA	Aboriginal Justice Agreement
AJA1	Victorian Aboriginal Justice Agreement (Phase 1)
AJA2	Victorian Aboriginal Justice Agreement (Phase 2)
AJF	Aboriginal Justice Forum
AVoCT	Aboriginal Victims of Crime Team
AWO	Aboriginal Wellbeing Officer
CAHABP	Central After Hours Assessment & Bail Placement Service
CBO	Community Based Order
CISP	Court Integrated Services Program
CV	Corrections Victoria
DEECD	Department of Education and Early Childhood Development (Victoria)
DHS	Department of Human Services (Victoria)
DoH	Department of Health (Victoria)
DoJ	Department of Justice (Victoria)
DPCD	Department of Planning and Community Development
FASA	Funding and Service Agreement
ICAT	Indigenous Cultural Awareness Training
ICCO	Indigenous Community Corrections Officer
IFVRAG	Indigenous Family Violence Regional Action Group

IJA	Indigenous Justice Agreement
ILCCO	Indigenous Leading Community Corrections Officers (previously ICCOS)
Implementation Review	Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody
KIBS	Koori Intensive Bail Support
KJU	Koori Justice Unit
KOSMP	Koori Offender Support and Mentoring Program
LAECG	Local Aboriginal Education Consultative Group
LAJAC	Local Aboriginal Justice Action Committee
LGA	Local Government Area
LIWP	Local Justice Worker Program
MOU	Memorandum of Understanding
NATSISS	National Aboriginal and Torres Strait Islander Social Survey
PALO	Police Aboriginal Liaison Officer
PEP	Prisoner Employment Program
RAJAC	Regional Aboriginal Justice Advisory Committee
Royal Commission	Royal Commission into Aboriginal Deaths in Custody (1991)
Sheriff's	Sheriff's Office/Officers
SROI	Social Return on Investment
TAP	Transition Assistance Program
VACP	Victims Assistance and Counselling Program
VAEAI	Victorian Aboriginal Education Association Inc.
VALS	Victorian Aboriginal Legal Service
VIAF	Victorian Indigenous Affairs Framework
VicPol	Victoria Police
VIYAC	Victorian Indigenous Youth Advisory Committee
VOCAT	Victims of Crime Assistance Tribunal
VSA	Victims Support Agency
WISP	Women's Integrated Services Program

2 Executive summary

The Royal Commission into Aboriginal Deaths in Custody (The Royal Commission) highlighted the shameful overrepresentation of Koories in the justice system. It was initiated by the Hawke Government in 1987 in direct response to public concern regarding the frequent and poorly explained deaths of Aboriginal people held in custody in Australian state and territory jails.

The Royal Commission “repeatedly stressed that the numbers of Aboriginal people dying in custody was an outcome of the overrepresentation of Aboriginal persons in detention. It was equally convinced that the main explanation (and solution) for this problem was to be found in the underlying factors [of entrenched inter-generational disadvantage]¹. It also drew attention to the need for change in the criminal justice system. The change that was envisaged is comprehensive and included law reform, the conduct of police and courts and correctional practices.

The Victorian Aboriginal Justice Agreements (AJA1 and AJA2) represent the first efforts of an Australian jurisdiction to respond to The Royal Commission’s findings. They are also, arguably, the most comprehensive and enduring justice response to these findings in the country. The commitment of this jurisdiction and the Koori community to implement and sustain the AJAs is matched only by their willingness to learn from the experience. This process of learning and refinement over successive iterations of the agreements is the most effective way to find enduring solutions to the challenges that are a product of the entrenched disadvantage facing this community.

This evaluation aims to understand what the AJA2 has delivered. It is an outcomes evaluation, which means that it does not evaluate individuals, initiatives or programs. Rather it is focussed on what has changed in justice outcomes for the Koori community over the last five years as a result of the AJA2, both in overall Koori overrepresentation in the justice system and also in terms of the six objectives of the AJA2. Further background and context to the AJA2 can be found in Section 3.

Over representation is understood to describe the disproportionately higher number of Koories in the justice system than we would expect to find for the total population when compared to the non-Indigenous population.²

Various sources of data have been drawn upon to inform this evaluation. These include consultations with senior stakeholders in the Koori community (in all nine Justice regions) and Justice agencies; quantitative data from justice agencies, the ABS and the Productivity Commission; an extensive literature review; and a survey of service providers. The evaluation team acknowledges and thanks the generous contributions of those who gave their time to attend the consultations. Their ideas, experiences and stories have informed the evaluation and provided the individual perspectives that are essential to a comprehensive and independent assessment.

The headline finding of this evaluation is that the AJA2 has delivered significant improvements in justice outcomes for Koories in Victoria, but there is more to do. The complex and challenging nature of the goals of AJA2 mean that progress towards their achievement is inevitably slow. There are no quick and easy solutions to the underlying inter-generational problems associated with entrenched disadvantage.

¹ Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody, page 352.

² Over representation has been calculated based on population adjusted rates by region. Census results have been extrapolated based on the cumulative annual growth rate by LGA between 2001 and 2006 to provide an estimate of the Koori and non-indigenous population by region. Population has been forecast by age group and sex to enable distinction between the adult and juvenile population for both males and females. Key indicators have been divided by the population to calculate a per capita rate which has then been compared with the non-indigenous rate to derive the level of over representation.

A summary of progress against each objective of the AJA2 is shown in Table 1 below, using diagrams to represent the approximate progress to achieving the ultimate objective. Clearly, progress has been made. Concentrated effort has yielded significant improvement in some situations (i.e. objective 6). However, it is uneven.

To change, let alone reverse, the long-term trend identified by The Royal Commission is a tough challenge. Coming from a situation of such shameful overrepresentation, all progress is positive. And while progress has been uneven, real progress is being made. As such, results that for example indicate 25% progress should be seen as just that: 25% *progress* towards the objective, not 75% underachievement.









For example,  indicates that the objective is approximately ¼ of the way to being fully achieved.

Table 1: Summary findings from the evaluation of the AJA2³

Objective of the AJA2	Progress to date (Nous assessment)
<p>Overall: To reduce Koori overrepresentation in the justice system.</p>	 <ul style="list-style-type: none"> ◦ Non-metropolitan regions have seen a reduction in overrepresentation in prison; in some cases >25%⁴ ◦ Metropolitan regions have worsened or stayed the same. ◦ Overall overrepresentation has worsened, but by less than would have been expected without the AJA2 ◦ Victoria continues to have lower levels of overrepresentation in the justice system than most other Australian States and Territories ◦ More can be done in all regions across Victoria.
<p>Objective 1: Crime prevention and early intervention.</p>	 <ul style="list-style-type: none"> ◦ Contact with police for youth under 17 years old has reduced overall since 2002, although there have been some variations in individual years (refer to Section 5). ◦ The proportion of Koories under 18 years old who receive a caution when they come into contact with police has remained relatively flat.
<p>Objective 2: Diversion/Strengthening alternatives to imprisonment.</p>	 <ul style="list-style-type: none"> ◦ Some regions have seen improvements in the proportion of Koories sentenced to Community Based Orders (CBOs) rather than prison. This change has explained much of the change in overrepresentation in prison ◦ Overall, currently Koories are less likely to be sentenced to CBOs compared to prison than they were in 2005 ◦ Youth are now more likely to be sentenced to other orders compared to youth detention than they were in 2005. ◦ CBO completion rates have improved.
<p>Objective 3: Reduce Re-offending</p>	 <ul style="list-style-type: none"> ◦ Reoffending has reduced since 2005 ◦ However, the rate of reoffending is still high and contributes to Koori overrepresentation in prison. There is more to do.

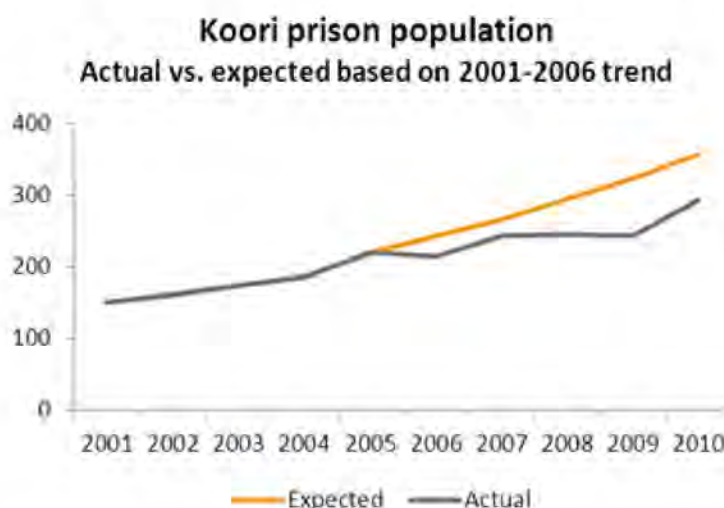
³ For a more detailed summary of progress against AJA2 objectives, see Appendix A. For detail on data sources and calculation methodology, see Appendix D. For a summary of stakeholders consulted in this evaluation, see Appendix C.

⁴ An explanation of the RAJAC regions is provided in Appendix C.

Objective of the AJA2	Progress to date (Nous assessment)
<p>Objective 4: Reduce victimisation</p>	 <ul style="list-style-type: none"> ◦ Changes in underlying victimisation rates are almost impossible to discern, because the proportion of victims who report crimes has almost certainly increased over time ◦ We can infer changes in victimisation from changes in crime rates, which have worsened over time as discussed above, however limitations in data make it hard to know whether victims are Koori or non-Koori ◦ Services for Koori victims have improved dramatically.
<p>Objective 5: Responsive and inclusive services</p>	 <ul style="list-style-type: none"> ◦ This objective has attracted the most AJA2 funding and has had the most success. Justice agencies are now significantly more responsive and inclusive of Koori needs than they were before ◦ The level of improvement varies across regions and locations and across different agencies.
<p>Objective 6: Strengthen community justice responses</p>	 <ul style="list-style-type: none"> ◦ Community empowerment has attracted significant investment and strengthened community justice responses, with expansion of the Regional Aboriginal Justice Advisory Committees (RAJACs), creation of Local Aboriginal Justice Action Committees (LAJACs)⁵, the Frontline and CIP grants and other initiatives ◦ Koori justice programs are now designed and delivered by or in close consultation with the Koori community.

Despite this uneven progress, there is reason to believe that without intervention, the projected increase in overrepresentation would be even greater. This conclusion is drawn from projecting the rate of increase prior to the AJA2 over the period 2006-2010. As shown in Figure 1 below, the projected increase expected is much higher than the actual increase in overrepresentation during the AJA2.

Figure 1: Koori prison population - actual vs. expected based on 2001-2006 trends

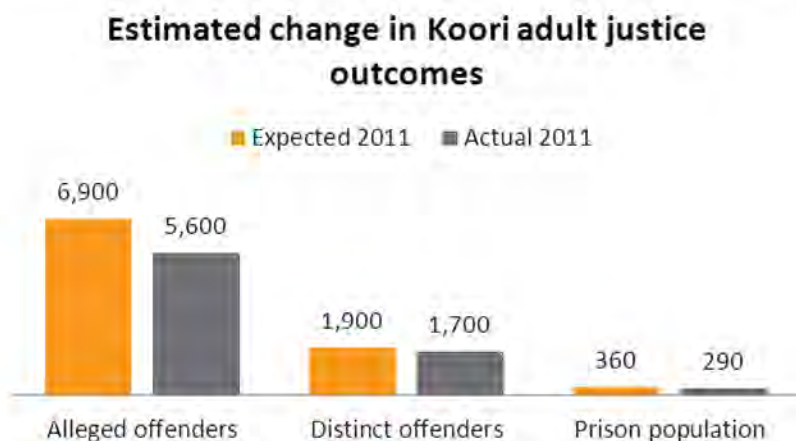


This is also true for outcomes earlier in an offender’s journey through the justice system. The number of alleged offenders, which is the number of offences alleged to be attributed to Koories, has been lower

⁵ Refer to Appendix C for an explanation of the AJF, RAJACs and LAJACs.

than would have been expected following 2001-2006 trends. The same is true for distinct offenders, which is the number of Koories that are alleged to have committed those offences. This is shown in Figure 2 below.

Figure 2: Estimated improvement in Koori justice outcomes in 2011 compared to pre-2006 trends



Based on outcomes detailed in Figure 2 above, we estimate the gross benefits delivered have been between \$22m and \$26m in 2010, plus there are other significant benefits that have not been quantified. The AJA2 program activities were allocated \$13.4 million of direct AJA2 funding in the 2009 – 2010 financial year. If this was the only funding directed towards improving Koori justice outcomes, then the social return on investment (SROI) would be between \$1.66 and \$1.93 for every \$1.00 invested. The average SROI for the last three years would be between \$1.69 and \$1.96 for every \$1.00 investment.

It is important to note that the total costs of achieving improved outcomes for Victoria's Koori population has also included a large amount of spending under various portfolios, including other justice spending, education and health. These cannot be accurately quantified and attributed to Koori justice outcomes within the scope of this evaluation, but would have a large impact on the SROI.

In conducting this evaluation, we found several opportunities to further strengthen the AJA2. These are summarised below.

Table 2: Summary recommendations

Recommendation	Short description	Page ref.
1 Improve governance and reporting to actively drive outcomes	<ul style="list-style-type: none"> Strengthen the AJF through more focus on specific issues and problem-solving, supported by data and evidence Strengthen RAJACs and LAJACs through making meetings more effective Significantly improve program reporting and accountability Alter the funding model for Frontline and CIP initiatives. 	52-61
2 Address key risk points for Koories in the justice system	<ul style="list-style-type: none"> Support the goals of VIAF to address underlying issues leading to contact with the justice system Strengthen support for alleged offenders prior to court, particularly for youth. Extend the Courts Integrated Services Program (CISP) and Koori Intensive Bail Support (KIBS) program Create diversion options for women Improve transition support. 	52-55
3 Improve consistency of service availability and access across and	<ul style="list-style-type: none"> Improve consistency of service availability and access to services across regions and locations, while retaining the place-based approach Improve access to positive justice related services across family groups 	55-66

Recommendation	Short description	Page ref.
within geographic areas	<ul style="list-style-type: none"> • Review hours of operation for Koori justice related services. 	
4 Understand and navigate the common goals across Government	<ul style="list-style-type: none"> • Coordinate with non-justice agencies at the AJF and local levels, to address issues including: <ul style="list-style-type: none"> • Youth at risk of contact with the justice system • Health, wellbeing and education of Koories in all parts of the justice system • Transition from prison back into the community • Family violence and victim support • Capacity building for Koories who deliver initiatives under the AJA • Cultural strength and safety in the justice system. 	66-70

Overall, the evaluators strongly recommend that the Victorian Koori community and Government sign a third Aboriginal Justice Agreement (AJA3), identified by the Attorney General at the Aboriginal Justice Forum in April, 2011. The overrepresentation of Koories in the justice system is a highly complex and multi-generational problem, and Victorian sentencing reforms are likely to disproportionately impact Victoria's Koori population and further increase Koori overrepresentation in prison. However, progress to date shows that Koori overrepresentation in the justice system can be addressed over time with senior level commitment, community involvement and focus.

This evaluation has been limited by the availability and accuracy of quantitative data. Victoria Police data on Koories is based on racial appearance so it is subjective. Mainstream courts and Sheriffs do not record whether an alleged offender is Koori. We have relied on the RAJAC Executive Officers to facilitate consultations in their respective regions therefore our samples may not be representative.

3 Background and context

3.1 Royal Commission into Aboriginal Deaths in Custody

The Royal Commission into Aboriginal Deaths in Custody (Royal Commission) was initiated by the Hawke Government in 1987. It was instigated in direct response to public concern regarding the frequent and poorly explained deaths of Aboriginal people held in custody in Australian state and territory jails.

The Royal Commission, “Repeatedly stressed that the numbers of Aboriginal people dying in custody was an outcome of the overrepresentation of Aboriginal persons in detention. It was equally convinced that the main explanation (and solution) for this problem was to be found in the underlying factors, including education, employment and economic status; housing; families and children; health and well-being; alcohol and other substances; community capacity; land needs and cultural survival; and reconciliation.⁶” It also drew attention to the need for change in the criminal justice system. The change that was envisaged is comprehensive and included law reform, the conduct of police and courts and correctional practices.

It is recognised that change is required in the underlying factors leading to contact with the criminal justice system, and that this requires a long term commitment over generations. The Royal Commission and subsequent reviews highlight the level of disadvantage experienced by Indigenous Australians. Effective and enduring change will occur only through a concerted and sustained focus on both the criminal justice system and these factors. A great deal has been learnt about what contributes to change and how long it takes to make real change in the lives of Indigenous individuals and communities.

In response to the recommendations of the Royal Commission and the subsequent 1997 National Ministerial Summit into Indigenous Deaths in Custody, the Victorian Government established the Victorian Aboriginal Justice Agreement (AJA). Victoria was the first jurisdiction to develop a justice agreement and action plan with the Koori community. AJA Phase 1 (AJA1) was signed in June 2000, and was followed in 2006 by AJA Phase 2 (AJA2).

The AJA was developed as a state government response to minimise Koori overrepresentation in the criminal justice system in accordance with the recommendations of The Royal Commission. Importantly, this overrepresentation was linked to the high level of Aboriginal disadvantage. It is delivered under the direction of the Aboriginal Justice Forum (AJF), comprising senior government and Koori community representatives.

The Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody commenced in 2003 and was tabled in parliament in 2005. The implementation review contained 164 recommendations, a number of which were justice related and were addressed through the development of the Aboriginal Justice Agreement Phase 2 (AJA2).

3.2 Overview of the AJA

The Victorian Aboriginal Justice Agreement (AJA) is a formal partnership between the Victorian Government and the Koori community, which has been operating since June 2000 working to improve justice outcomes for Koories. The AJA aims to improve Koori justice outcomes by:

⁶ Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody, page 352.

- Establishing initiatives that deliver accessible justice services
- Building infrastructure to help reduce Koori overrepresentation in the criminal justice system
- Maximising participation of the Koori community in the design, development, delivery and implementation of all justice policies and programs that impact on Koories.

The AJA2 was signed in 2006 by community and government representatives to further expand and deliver the partnerships and initiatives developed under the initial AJA. Development of the AJA2 occurred within a dynamic environmental context consistent with the principles of the AJA1. Important achievements of the AJA1 that were outlined in the AJA2 include:

- Promoted robust partnerships between Government and the Koori community
- Built infrastructure that would assist in reducing overrepresentation
- Introduced initiatives that demonstrably improved justice-related outcomes for the Koori community.

In 2005, the Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody (Implementation Review) noted that the Victorian Aboriginal Justice Agreement (Phase 1) “Has forged a strong and enduring partnership between Government and Victoria’s Koori communities, one built on the practical and symbolic value of reconciliation”. This has continued under the AJA2. Factors cited by individuals consulted in the evaluation as particularly important include:

- Strong senior representation and commitment from both justice agencies and the Koori community
- Accountability to improve Koori justice outcomes
- Depth, with partnerships mirrored at the state, regional and local levels
- Endurance over a decade; many similar initiatives elsewhere have faded over time.

The most powerful symbol of the relationship is the Aboriginal Justice Forum (AJF). This forum has been highly successful in improving Koori justice outcomes.

3.3 Objectives of the AJA2

The AJA2 has two main aims:

1. Minimise Koori overrepresentation in the criminal justice system by improving accessibility, utilisation and efficacy of justice-related programs and services in partnership with the Koori community
2. Ensure the Koori community, as part of the broader Victorian community, have the same access to human, civil and legal rights, living free from racism and discrimination and experiencing the same justice outcomes through the elimination of inequities in the justice system.

Its overriding objective is to reduce Koori overrepresentation in prison. To achieve this outcome, the specific objectives agreed under the AJA2 were:

Objective 1: Crime prevention and early intervention

Reduce the number of Koori youth coming in contact with the criminal justice system by promoting protective factors and reducing risk factors for offending behaviour.

Objective 2: Diversion/Strengthening alternatives to imprisonment

Increase the rate at which justice agencies divert Koories from more serious contact with the criminal justice system and strengthen community-based alternatives to imprisonment.

Objective 3: Reduce Re-offending

Reduce the rate at which Koories re-offend by changing environmental and behavioural factors that contribute to that offending.

Objective 4: Reduce victimisation

Reduce the negative impact that the high rate of victimisation has on Koori communities, families and individuals so that intergenerational contributors to offending are reduced.

Objective 5: Responsive and inclusive services

Make mainstream and positive justice-related services more responsive and inclusive of the needs of the Koori community.

Objective 6: Strengthen community justice responses

Build capacity in and strengthen Koori communities so they are better able to improve their justice outcomes, particularly through the delivery of place-based initiatives.

3.4 Policy context

Several Australian and Victorian Government policies have:

- Influenced the development of the AJA2
- Been influenced by the AJA2
- Influenced the ongoing outcomes from the AJA2.

The most significant of these policies are outlined below.

3.4.1 The Victorian Aboriginal Justice Agreement – Phase 1 (AJA1)

The AJA1 was developed in response to The Royal Commission into Aboriginal Deaths in Custody (Royal Commission). Victoria was the first jurisdiction to develop a justice agreement and action plan with the Koori community. It was signed in June 2000, and laid the foundation for the AJA2. Important achievements of the AJA1 that were outlined in the AJA2 include:

- Promoted robust partnerships between Government and the Koori community
- Built infrastructure that would assist in reducing overrepresentation
- Introduced initiatives that demonstrably improved justice-related outcomes for the Koori community.

3.4.2 COAG – Closing the Gap

The Closing the Gap strategy was agreed by the Council of Australian Governments (COAG) in 2008 under the National Indigenous Reform Agreement (NIRA). COAG has agreed to specific timeframes for achieving six Closing the Gap targets, relating to Indigenous life expectancy, infant mortality, early

childhood development, education and employment. The ‘building blocks’ to achieve these targets include:

- Early childhood
- Schooling
- Health
- Economic participation
- Healthy Homes
- Safe communities
- Governance and leadership.

Action towards improvements in all of these building blocks will reduce Koori overrepresentation in the justice system.

3.4.3 The Victorian Indigenous Affairs Framework

Aligned to Closing the Gap, the Victorian Indigenous Affairs Framework (VIAF) is Victoria’s overarching whole-of-government strategy and approach to improve outcomes for Koori Victorians. The VIAF outlines six Strategic Areas for Action, including:

- Improve maternal and early childhood health and development
- Improve education outcomes
- Improve economic development, settle native title claims and address land access issues
- Improve health and wellbeing
- Build Indigenous capacity
- Prevent family violence, and improve justice outcomes.

The AJA2 provides the framework to deliver the sixth Strategic Area for Action by improving justice outcomes.

The VIAF also outlines the partnership structure through which the Victorian Koori community and the Government work together to implement the Strategic Areas for Action, including establishing Local Indigenous Networks to provide a voice for their local Koori community and plan for the future.

3.4.4 Wannik

The Victorian Department of Education and Early Childhood Development, in close partnership with the Victorian Aboriginal Education Association Incorporated (VAEAI), developed Wannik in 2008. Wannik is the Department’s strategy and approach to improve educational outcomes for Koori students. Wannik proposes to:

- Reform the government school system’s education of Koori students
- Support greater student engagement
- Provide more literacy and numeracy support
- Support and encouragement for high-achieving students
- Expand and develop the Koori support workforce

- Renew the focus on parental engagement.

Share responsibility appropriately across government.

4 A strong foundation has been built to deliver better Koori justice outcomes.

“...the AJA2 has been very positive and has certainly set some solid foundations for the future of Aboriginal justice outcomes”. Koori survey respondent.

The AJA2 has continued to build a strong foundation, which research shows is essential to deliver better Koori justice outcomes. This foundation includes several supporting pillars:

Supporting pillar	Section
The programs delivered are broadly consistent with local and international research on how to achieve better Koori justice outcomes	4.1
A strong and enduring partnership has been built between justice agencies and the Koori community	4.2
The justice system is now significantly more responsive and inclusive of Koori needs. This advances the basic human right of equal access to justice for all Victorians	4.3
A large amount of progress has also been made in strengthening community justice responses as part of a place-based approach that empowers the local community	4.4

These pillars are discussed in further detail below.

4.1 Significant work has been done against all objectives.

Many significant initiatives have been created under the AJA2, continued from the AJA1 or been significantly influenced by the AJAs. Examples are listed in Table 3 below. These align with the strategic objectives of the AJA2, and many align to more than one objective of the AJA. This set of initiatives also aligns strongly to best practice in reducing overrepresentation of Indigenous peoples in justice systems⁷. Some of these initiatives are listed below. This is not a full list; rather we have given some important examples of initiatives against each objective⁸.

While they could be strengthened further (see Section 6 of this report), the initiatives of the AJA2 represent significant progress and lay a strong foundation for improvements in Koori justice outcomes.

⁷ E.g. Standing Committee of Attorneys-General, National Indigenous Law & Justice Framework – Good Practice Appendix, 2010; Jones, R and the Department of Justice, “Diversion: A model for reducing Indigenous criminal justice over-representation”, Second National Indigenous Justice Forum, Background Paper, November 2006

⁸ Please refer to Appendix G for a full list of AJA2 projects by location

Table 3: AJA2 initiatives

AJA2 Objective	Example initiatives	Short description	Lead agency (agency responsible as listed in AJA2)
Objective 1. Crime Prevention and Early Intervention. Reduce the number of Koori youth coming into contact with the criminal justice system by promoting protective factors and reducing risk factors for offending behaviour.	Early School Leavers and Youth Employment Program	Intensive outreach support to Koori youth so that they remain in school or connect to alternative educational and training programs.	Youth Services and Youth Justice
	Frontline Youth Initiatives Program	Grants to provide Koori youth with a range of activities that aim to reduce risk factors and increase protective factors.	Koori Justice Unit
	Support the Victorian Indigenous Youth Advisory Council	VIYAC is a state-wide network of volunteer Indigenous young people between 12 and 25 years who provide a voice to government and community on issues of importance to them.	Aboriginal Affairs Victoria
	Koori Intensive Bail Support program	Intensive outreach support to assist young people to comply with bail conditions or conditions placed on deferred sentences.	Youth Services and Youth Justice
	VALS/ Victorian Police youth cautioning project	Project to increase the proportion of Koori youth cautioned when processed by police.	Victoria Police
	Local Justice Worker Program (LJWP)	Local Justice Workers (LJWs) support Koori offenders to meet the conditions of their community based orders and assist in linking them to relevant programs and services. LJWs also liaise between the Sheriff's Office and Koories to resolve outstanding fines.	Koori Justice Unit
Objective 2. Strengthening alternatives to imprisonment. Increase the rate at which justice agencies divert Koories from more serious contact with the criminal justice system and strengthen community-based alternatives to prison.	Koori Offender Support and Mentoring Program (KOSMP)	A program to assist Koori offenders to meet conditions of Community Based Orders by involving a network of volunteer mentors to provide culturally appropriate support.	Koori Justice Unit
	Koori Youth Justice Program	Koori Youth Justice Workers assist young Koories to meet the conditions of youth justice orders while remaining in the community.	Youth Services and Youth Justice
	Wulgunggo Ngalu Learning Place	A voluntary culturally appropriate residential program for up to 20 Koori men serving community based orders to support them in successful completion of their orders.	Corrections Victoria
	Enhance the effectiveness of the Fairer and Firmer Fines legislation and the Deemed Served Program	A partnership with the Koori communities, the community based Local Justice Workers, and the Sheriff's Office to prevent excessive contact with the justice system due to unpaid fines.	Sheriff's Office
Objective 3. Reduce re-offending. Reduce the rate at which Koories re-	Marumali Program	A program delivered to Koori offenders and prisoners to strengthen their cultural understanding and identity.	Corrections Victoria
	Koori Cognitive Skills Program	A problem-solving program based on cognitive behavioural therapy, adapted from a	Corrections Victoria

AJA2 Objective	Example initiatives	Short description	Lead agency (agency responsible as listed in AJA2)
offend by changing environmental and behavioural factors that contribute to offending.		mainstream cognitive skills program to be culturally relevant and appropriate.	
	Koori Intensive Pre and Post Release Transitional Support Program	An intensive Pre and Post Release Transitional Support Program for Koori youth.	Youth Services and Youth Justice
	Konnect (Koori Transitional Support Program)	Provide a case management, welfare based approach to addressing the diverse needs of Koories exiting prison.	Corrections Victoria
Objective 4, Reduce Victimization. Reduce the negative impact that the high rate of victimisation has on Koori communities, families and individuals so that inter-generational contributors to offending are reduced.	Koori VOCAT List	A specialist list within the Victims of Crime Assistance Tribunal which manages applications made by victims of crime who are Koori, using a flexible approach.	Courts and Tribunals Unit
	VSA Indigenous Victims of Crime Officers and Support Strategy	A strategy to improve awareness and effectiveness of Koori victim services, including establishing an Aboriginal Victims of Crime Team, Aboriginal Support Workers on the Victims of Crime Helpline, mandatory cultural awareness training, engaging and establishing MOUs with Koori organisations etc.	Victims Support Agency, VOCAT
	Indigenous Family Violence 10 year plan	10-year plan to reduce the impact of Family Violence on the Koori Community.	Aboriginal Affairs Victoria
	ACLO and PALO programs ^{9*}	Koori staff (ACLOs) and Police (PALOs) in Police stations who build relationships between Police and the local Koori community and strengthen mutual understanding.	Victoria Police
	Koori Courts (including Children's Koori Courts and County Koori Court)*	A division of the Magistrates' Court which provides a culturally-appropriate Court process for Koori offenders who plead guilty to a range of offences, involving Elders and Respected Persons and Koori staff.	Magistrates' Court of Victoria
	Indigenous Community Corrections Officers (ICCOs)*	Indigenous Community Corrections Officers (ICCOs) undertake a restricted case load of general community corrections work, plus specialist functions to ensure the specific needs of Koori offenders are met ¹⁰ .	Corrections Victoria
	Aboriginal Wellbeing Officers (AWOs)*	Provide culturally appropriate welfare support to Koori prisoners to ensure they have access to appropriate services and programs and liaise with other roles to ensure their needs are being met.	Corrections Victoria
Koori Tertiary Scholarships	Encourage Koories studying in justice related fields, such as law, social and emotional wellbeing, social work and psychology.	Koori Justice Unit	

⁹ Initiatives with an *asterisk have been aligned to different objectives than originally reported. This is based on the evaluators' views on where the form and function of these initiatives most closely align.

¹⁰ ICCOs have now become ILCCOs (L for Leading). These revised roles do not have a restricted caseloads and will have reduced 'specialist function' in regards to community engagement, making policy and programs 'Koori friendly' etc.

AJA2 Objective	Example initiatives	Short description	Lead agency (agency responsible as listed in AJA2)
	Indigenous Cultural Awareness Training	Training provided to staff in various agencies to strengthen awareness of Koori culture.	Various
	Grievance Processes	Improvements to complaints process in various agencies to respond to Koori needs.	Various
	Aboriginal Community Justice Panels (ACJPs)	A volunteer network to assist Koories in custody.	Victoria Police
	Regional Aboriginal Justice Advisory Committees (RAJACs) and Local Aboriginal Justice Action Committees (LAJACs)	Committees to represent their local Koori communities and develop and implement initiatives under the AJA2.	Koori Justice Unit

4.2 A true partnership has been built between justice agencies and the Koori community.

“There is a real partnership between the Koori community and all justice agencies that doesn’t exist as strongly with any other government department. Look at the flags in justice offices, look at the RAJACs and the AJF, look at the Koori Courts and look at the number of Koories employed in the Justice Department. None of these things would have happened, at least not as quickly, if it hadn’t been for the AJAs”. Justice agency stakeholder.

In 2005, the Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody (Implementation Review) noted that the Victorian Aboriginal Justice Agreement (Phase 1) “has forged a strong and enduring partnership between Government and Victoria’s Koori communities, one built on the practical *and* symbolic value of reconciliation”¹¹. This has continued under the AJA2. Factors cited by individuals consulted¹² in the evaluation as particularly important include:

- Strong senior representation and commitment from both justice agencies and the Koori community
- Accountability to improve Koori justice outcomes
- Depth, with partnerships mirrored at the state, regional and local levels
- Endurance over a decade; many similar initiatives elsewhere have faded over time.

The most powerful symbol of the relationship is the Aboriginal Justice Forum (AJF). This forum has been highly successful in improving Koori justice outcomes. However, consultations highlight that the AJF could be better focussed on actions and outcomes rather than just reporting. RAJACs also lack the data they need to make decisions.

These findings are discussed in more detail below.

4.2.1 Strong senior representation and commitment.

Executive level representation and commitment across justice agencies has been a particular strength of the AJA2, as highlighted by numerous Government and Community representatives throughout our consultations. This can be considered ‘best practice’; The Royal Commission emphasised the importance of partnerships and self-determination in improving outcomes in the Indigenous community, as have many subsequent studies. Within the justice agencies, senior commitment means that policy, operations and funding incorporate Koori needs. It also keeps a strong focus on middle management and operational responsiveness to the needs of the Koori community. Within the Koori community, the commitment of Elders and Respected Persons reinforces community representation.

This senior representation is personified in the AJF.

“Having all the key players around the table, and committed to improving outcomes, is a powerful thing”. AJF member

¹¹ Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody, Review Report, Volume 1, October 2005.

¹² For a list of individuals consulted, please refer to Appendix C.

"I think the other states are envious of our Aboriginal Justice Forum. It has maintained a lot of momentum". Justice agency stakeholder.

"[The AJF is] a legitimate forum for structured representative input. Ongoing senior representation is the key to success". Justice agency stakeholder.

"The fact that we sit and talk together is a huge step forward. A lot is achieved". Government stakeholder

The AJF is the peak coordinating body responsible for overseeing the development, delivery and direction of AJA2. It is a powerful forum, which has maintained the focus and momentum on improving Koori justice outcomes, held justice agencies accountable to the Koori community and given the Koori community a voice that is heard by senior justice representatives. Many reputable studies and inquiries have highlighted the "importance of properly constituted, ongoing Indigenous representative bodies to the development of justice policy ... in the area of Indigenous justice."¹³

4.2.2 Accountability to improve Koori justice outcomes

"There is lots of accountability which is great. We're constantly challenged to think about this stuff". Justice agency stakeholder.

"Accountability is very strong, and leads to better outcomes". Justice agency stakeholder

In our consultations, 'accountability' was often cited as the primary benefit of the AJF. Indeed, the AJF has been a powerful mechanism for holding justice agencies accountable for Koori justice outcomes.

Accountability is driven through:

- Koori Reference Groups and Koori Action Plans which drive initiatives within Government business units. For example, Koori Action Plans for Courts, Correctional Health Services
- The opportunity for the Koori community to engage with Government on justice issues at the local and State level, particularly through RAJACs, community forums and the AJF, and hold them accountable for Koori justice outcomes
- All actions are minuted and followed up, meaning that agencies need to deliver on their commitments.

Despite this, accountability is lacking in two main ways:

- Accountability to deliver outcomes
 - The accountability is most often either accountability about individual incidents or departments. Outcomes are rarely discussed, particularly as they relate to the objectives of the AJA2
- Accountability of Koori organisations.

An examination of the minutes of the AJF suggests the accountability is generally one-way – the Koori community holding the Government accountable.¹⁴ A core principle of the AJA2 is that a true partnership is required; not the Government imposing solutions on the community but rather empowering the community itself. This being the case, the accountability for delivery must be shared

¹³ E.g. Cunneen and Allison (2010)

¹⁴ Based on detailed analysis of AJF minutes for the period of the AJA 2

between Government and the community. This aligns with the VIAF commitment to “continue to look for ways to strengthen Victoria’s Indigenous organisations – both in their capacity to meet the needs of clients but also to meet 21st century expectations of accountability and governance”. Note that accountability *outside* the AJF has been cited as being greater for Koori organisations funded under the AJA2 than accountability for other funding.

4.2.3 The depth of the partnership.

The depth of the partnership has also been cited as a significant achievement of the AJA2. While the AJF has created senior-level cooperation, the RAJACs and LAJACs have been able to translate these senior partnerships to the local level¹⁵. A detailed description of the RAJAC and LAJAC is provided in Appendix C. The RAJACs and LAJACs exist across the State and are responsible for local engagement and work to drive change through the RAJAC plans. One of the strengths of the AJA comes from this local ownership and focus. Given that most initiatives are delivered at the local level, these partnerships have been crucial to the success of the AJA2.

“Past frameworks, like ATSIC, didn’t work. The difference with AJA is that it has a signed and binding agreement with real ownership by Koories ... It provides a real platform for voices [of the community] without fear”. RAJAC Chair.

“The AJA gave us voice, interaction and a two way learning process. It has opened doors”. Koori Elder.

“Relationships between police, community organisations and the community have been a real benefit... there is quite a lot of honesty”. RAJAC Chair.

“Locally, the RAJACs present a genuine opportunity for cross-Government, community and interested parties to [work together]”. Regional Director.

4.2.4 Endurance of the partnership over a decade.

“AJA1 was largely driven by [a few] key players... the great thing is though, the processes, and partnership, is now much bigger than that, it has a life of its own. It’s bigger than the people involved. It will remain a platform for partnership, change and communication”. Senior justice stakeholder.

Finally, the endurance of the partnerships is extremely important to the success of the AJA2. Many partnership arrangements start with the best intentions but competing priorities, changing personnel and lack of commitment leads to their demise as the initial enthusiasm dies. In Queensland, for example, the partnership under the Queensland Aboriginal and Torres Strait Islander Justice Agreement had lost momentum. There was no longer any Indigenous involvement in the implementation of their Justice Agreement when it was evaluated in 2005, less than five years after the agreement was signed. As Cunneen and Allison (2010) point out about Australian justice agreements in general, “research showed that policy frameworks are formulated and then disappear with little attention to whether they were effective in meeting outcomes”.

The importance of sustainability can hardly be overstated, given that the drivers of Koori overrepresentation in the justice system are complex, multi-generational and long-term. The

¹⁵ Please refer to Appendix C for an explanation of the AJF, RAJACs and LAJACs.

partnerships developed and sustained under the Victorian AJAs have ensured that sustainability over ten years.

4.2.5 The AJF needs more focus to improve its effectiveness.

“The Forum is a really powerful platform for discussion. Sometimes it would be great if we put as much time into resolving problems, and not just discussing them, reporting on them or blaming people for not doing enough. More collaboration and less blaming others would be helpful”. AJF member.

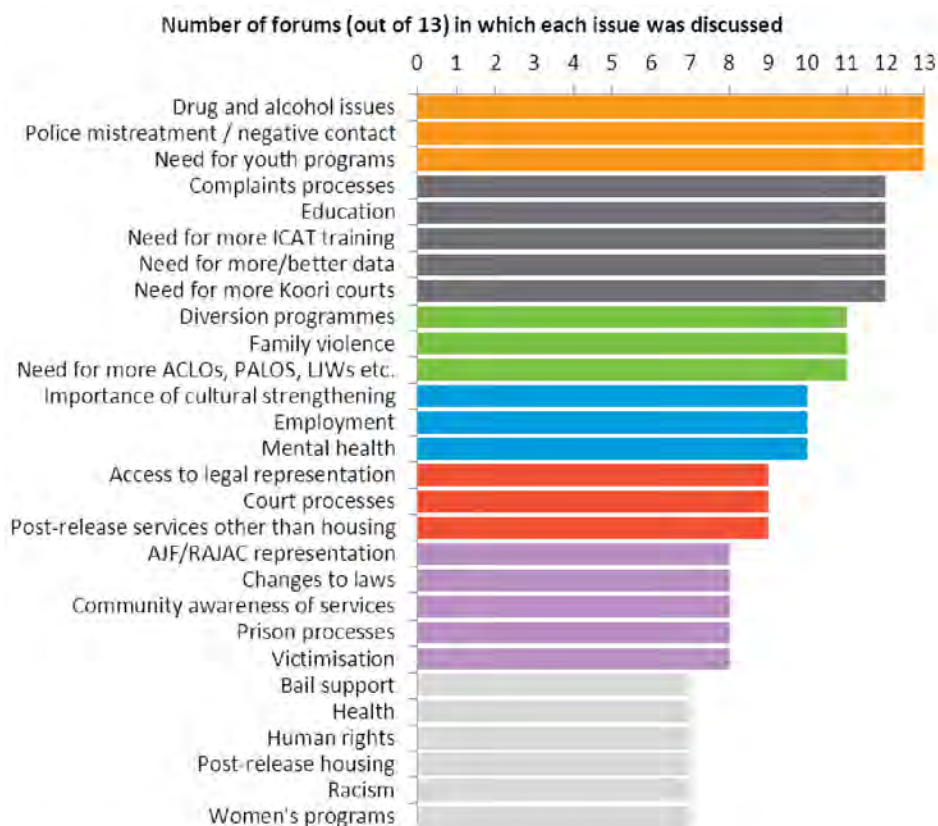
As discussed above in Section 4.2.1 above, the AJF has been central to the success of the AJA2. Without the AJF, the AJA2 could not have come about and would not have achieved any of the outcomes that it has achieved. The AJF is an extremely powerful mechanism for improving Koori justice outcomes. The AJF is the central platform to drive the abovementioned RAJAC action plans and plans within the business units across justice. The cascading governance framework from the AJF to RAJACs and LAJACs is detailed in Appendix C.

Consultations have highlighted a desire for a change in the format of the AJF. Rather than discussing each critical issue at every Forum, many of the members we consulted believe that more focus would improve Koori justice outcomes. The evaluators acknowledge that much of the focussed work happens outside the AJF at the moment in the form of workshops, working groups and task forces and the AJF is primarily a reporting and accountability mechanism. Overwhelmingly, consultations highlighted a desire to make the AJF itself more focussed on joint problem solving.

In reviewing the minutes from all Forums under the AJA2 up to AJF 29, it is clear that the forums could be more focussed on actions and outcomes rather than reporting. The same issues are discussed at each forum, which aligns to a principle of the AJF not to let anything slip out of focus until it is solved. This also reflects the fact that many of the issues under discussion are large and enduring, and have arisen out of long term disadvantage.

However, while these discussions are critical, consultations have highlighted concerns that the breadth of discussion does not allow sufficient time in the Forum to discuss and develop solutions. Our analysis shows that as many as 28 issues were discussed at more than half of the 13 forums. These include:

Figure 3: Number of forums (out of 13) in which selected issues were discussed



Clearly, these are critically important issues and deserve detailed consideration. Recommendations for improving the effectiveness of the AJF to solve these issues are outlined in Section 9.1.1.

4.2.6 The AJF and RAJACs also lack the evidence they need to make decisions.

"We need to get the stats". Koori community member.

"The RAJAC does not get a lot of data. Either crime stats or progress against AJA objectives. This did happen initially but has dropped off". RAJAC Chair.

4.2.6.1 While more data is provided than before, consultations highlight a need for improved data quality.

The need for better data is not new. The need for more and better data has been discussed at 12 of the 13 AJFs reviewed. Two primary concerns with data were highlighted in our consultations:

3. Quality of the base data
4. Quality of the information provided to the AJF and RAJACs.

The base data lacks reliability largely because of inconsistencies on whether a person is identified as Koori. Amongst Police, officers are required to ask alleged offenders whether they are Aboriginal or Torres Strait Islander through using a Standard Indigenous Question (SIQ). There is ongoing variation in how often officers record answers to the SIQ, impacting data quality. Courts and Sherriff's officers do

not record whether an alleged offender is Koori. Victim's data is unreliable because of variation in the willingness of victims both to report having been a victim and also to identify as Koori. All of these issues mean that it is difficult to quantify issues throughout the justice system and develop optimal responses.

Consultations revealed that while the AJF receives background information to support decision-making and also general information, some AJF members noted that it is often not the targeted information they need. Many also noted that the volume of background papers mean that they are often not read. Similarly, while RAJACs appreciate the data and support that they receive from the KJU, they do not have the data required to make local decisions such as up-to-date Koori crime rates by type of crime, offender profiles and trends.

4.2.6.2 There are large gaps in evidence on the effectiveness of AJA2 programs.

The Implementation Review highlighted the need for much better ongoing monitoring and evaluation¹⁶. The evaluators note two large, ongoing gaps in the monitoring of program effectiveness. Poor ongoing monitoring and evaluation inhibit the ability of the AJF, Government, RAJACs and service delivery organisations to understand and improve outcomes from AJA2 initiatives.

Ongoing monitoring is made very difficult by poor program set-up and reporting. As Jones et. al points out, "Good programs are as much about how they are run as they are about what they actually do"¹⁷. Programs are much more likely to deliver outcomes if they have clear aims, objectives and success measures, following sound program logic, which are delivered and tracked over time.

A review of AJA2 progress reports (traffic light reports tabled at each AJF) has highlighted significant weaknesses. For example:

- **63%** did not establish any output measurements. Therefore there is no tracking against them
- **None** of the 103 initiatives reported on outcomes
- **81%** of the 103 projects never listed any other status than 'green'. This includes programs that have been stopped.

RAJAC Chairs provide a report to each AJF to include greater detail than the traffic light reports. Agencies provide detailed and regular budget reports to the Department. However, the traffic light reports are the formal mechanism and appear to lack rigour. This inhibits continuous learning and improvement across the State.

Evaluation is also a large gap within the AJA2 projects. There is no evaluation framework to ensure that individual initiatives lead by various agencies addresses key evaluation questions. Systematic evaluation is not built into every program, and where evaluations have been undertaken, the quality is variable and overly reliant on qualitative feedback from people with a vested interest in the outcome. Without regular, high quality, evidence-based evaluations it is impossible to know what is working (and should be expanded) and what should be changed or cancelled to reinvest in better programs.

¹⁶ Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody, Review Report, Volume 1, October 2005

¹⁷ Robin Jones, Salina Bernard, Simone Gristwood & Claire Spivakovsky "Best practice approaches to reducing Indigenous over-representation in the criminal justice system: A literature review" May 2006

4.3 The justice system is now more responsive and inclusive of Koori needs than it was before the AJAs.

The fifth objective of the AJA2 was to “Make mainstream and positive justice-related services more responsive and inclusive of the needs of the Koori community”¹⁸. While there is more to do, consultations have demonstrated that justice services are now more responsive and inclusive of Koori needs than they were before the AJAs.

4.3.1 Responsive and inclusive services deliver basic human rights.

Equal access to justice is a basic human right as articulated by the United Nations Universal Declaration of Human Rights. Progress towards making the justice system more responsive and inclusive of the needs of the Koori community is therefore imperative.

It is important to note that while it is likely that reducing systemic bias within the justice system will lead to reduced overrepresentation, this link has not been definitively proven. This is largely because there is no way to know the true underlying pattern of crime within the Koori and non-Koori communities. It is clear that Koories are much more likely to come into contact with police than their non-Koori counterparts. There is evidence that this is, at least in part, caused by racism and/or unintentional systemic bias rather than merely higher rates of offending¹⁹.

However, regardless of the underlying impact on overrepresentation, a justice system that is culturally insensitive, intimidating and alienating for many Indigenous people, as outlined in the Royal Commission, denies justice to a community that has been denied this basic human right for far too long already. Progress in this area such as has been delivered by the AJAs is a critical step in improving Koori justice outcomes.

Similarly, we heard in consultations several examples of instances where making services more responsive and inclusive did improve outcomes for individual Koories. Consultations almost overwhelmingly stated that cultural and community components of initiatives are essential for their effectiveness in the Koori community. A large amount of research also supports this view.

“I have seen some real successes where kids have not ever come back to the Courts and have gone on to become role-models and mentors to other troubled kids”. Children’s Koori Court Elder.

“An offender completed his suspended sentence and he improved so much that the Magistrate suggested he should take up a role being a role model in the community. He was a drug addict for 30 years. He turned his life around”. Koori Local Justice Worker.

“Having all the necessary services all in one place, and having them provided in an inclusive way, makes delivery change in peoples’ lives possible – we have seen some real success”. Koori Local Justice worker.

4.3.2 Funding allocation has driven positive change.

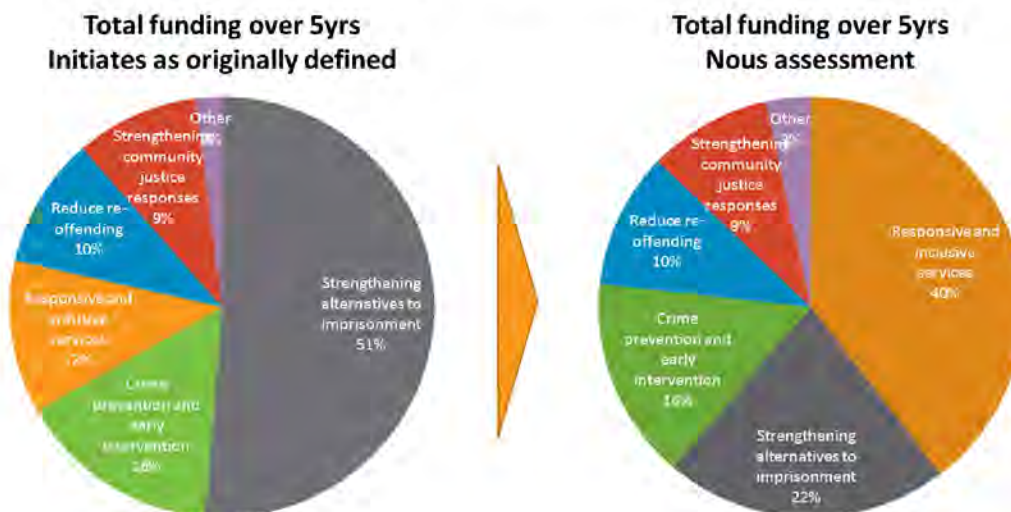
While 12% of funding for AJA2 was originally categorised under the ‘Responsive and inclusive services’ objective, Nous estimates that in fact around 40% of funding has been directed towards this objective. This is shown in Figure 4 below. It is important to note that these graphs only represent the primary

¹⁸ Victorian Aboriginal Justice Agreement – Phase 2

¹⁹ Blagg et. al. (2005) “Systemic Racism as a Factor in the Overrepresentation of Aboriginal People in the Victorian Criminal Justice System”, prepared for the Equal Opportunity Commission of Victoria

objective of each initiative; all achieve more than one goal. For example, while Koori Courts primarily make the court system more responsive and inclusive of Koori needs, this also means that they may reduce reoffending through delivering sentences that are more restorative, in line with Koori needs.

Figure 4: Proportion of overall AJA2 funding over five years based on Nous understanding of AJA2 initiatives



The initiatives that we re-categorised to arrive at this conclusion are detailed in Table 4 below. Re-categorisation was based on our consultations, survey and review of previous evaluations.

Table 4: Re-categorisation of initiatives

Initiative	Original objective	Revised objective	Rationale
Aboriginal Community Liaison Officer (ACLO) and Police Aboriginal Liaison Officer (PALO) programs	Strengthening alternatives to imprisonment	Responsive and inclusive services	Findings from the 2010 evaluation of the ACLO program list eight key gains from the program; almost all are aligned to 'responsive and inclusive services'. This was reinforced by our interviews and informal discussions with ACLOs, who emphasised the difference they make to strengthening mutual understanding between police and Koories.
Koori Courts	Strengthening alternatives to imprisonment	Responsive and inclusive services	Survey respondents from the Koori Court were divided on its primary objective, but participants in the AJA2 program logic workshop listed the Courts under 'responsive and inclusive services'. This aligns with the Nous view based on our consultations, and Koori Court funding KPIs ²⁰ are most closely aligned to 'responsive and inclusive services'.
Aboriginal Wellbeing Officers (AWO) Program	Reduce re-offending	Responsive and inclusive services	Corrections Victoria updates at RAJAC meetings, as well as KJU documents, describe the activities of the AWOs as primarily providing day-to-day support for Koori prisoners, helping them to access and navigate mainstream services and provide culturally appropriate welfare support. This was broadly the aim of the AWO position when it was recommended by The Royal Commission. This aligns with the objective of making prison more responsive and inclusive, with the aim of positively impacting rehabilitation

²⁰ KPMG (2011), Review of Funding Agreement for the Koori Court Initiative, Final Report.

Initiative	Original objective	Revised objective	Rationale
			success.
Koori Liaison Officer (KLO) Program (under CISP)	Strengthening alternatives to imprisonment	Responsive and inclusive services	The position description on the Magistrates' Court of Victoria website describes six objectives of the KLO program, all of which sit under the 'responsive and inclusive services' objective.
Monitoring and Evaluation for AJA1	Responsive and inclusive services	Other	Monitoring and evaluation can be expected to impact all objectives equally.

4.3.3 This funding has delivered results; justice-related services have become much more responsive and inclusive of Koori needs.

Our consultations and research have highlighted significant progress in this area, for Police, Sheriff's, Courts and other justice-related Koori-specific services and mainstream services. However, there is more to do. These findings are discussed in more detail below.

It is important to note that we have not conducted detailed analysis of each justice agency or service provider, rather these conclusions come from regional and other stakeholder consultations and desk research.

4.3.3.1 Police

"Police are more looking at solving problems now rather than locking people up. They get community organisations involved when they have an issue". Koori community member.

"There used to be a huge amount of friction and mistrust [between Police and the Koori community]. Now we sit down and talk". Koori community member.

"Police used to expect all Koories to be drunks and no-hopers". ACLO.

"The relationship with police has really changed. There used to be real fear and no trust. Now when my kids see [the local officer] in the street, they run to him and hug him. That wouldn't have happened without the RAJAC". Koori community member

As the first point of contact with the justice system, Police are critically important in improving Koori contact with the justice system. To many people they are the face of justice, and for many Koories they have historically sat alongside the government in general as the face of white injustice.

A recent review of relations between Victoria Police and the Koori community highlighted significant progress in how responsive and inclusive Police are to Koori needs, although there is more to do²¹. Our consultations support these conclusions. Police in the regions demonstrated awareness of Koori issues, concern for the Koori community and concrete examples of actions that were being taken to address police contact with Koories. While there is certainly sample bias, given that we spoke mainly to Police who attend RAJAC meetings, the Koori community in each region and our youth consultations almost

²¹ Talking Together – Relations between Police and Aboriginal and Torres Strait Islanders in Victoria, 2003-2008, Office of Police Integrity Victoria.

universally confirmed that there had been some positive change in Police attitude and action over the last five to ten years. Many of these improvements align with the Victoria Police Aboriginal Strategic Plan developed in 2003 as a response to the AJA1.

While improvement was noted in all regions, the level of improvement varied. This was largely based on factors also highlighted in the review cited above, in particular the presence of committed ACLOs and PALOs, the level of collaboration with the Koori community and the level of Indigenous Cultural Awareness Training (ICAT) provided both within the Victoria Police training academy as well as with local communities.

Similarly, in every AJF held under the AJA2, allegations of police racism and/or mistreatment of Koories were made.²² Similar allegations were made in many of our community consultations. While some of these may have been unsubstantiated, this does indicate that further improvements can be made in the responsiveness and inclusiveness of Police to the needs of the Koori community.

Nevertheless, the degree of improvement cited by community members in our consultations and the level of ongoing police commitment to the goals and programs within the AJA2 is the dominant theme from our consultations. Police dealings with the Koori community have gone from being highly adversarial to a large amount of collaboration and talking together and responding to community concerns. We believe that this is a major achievement of the AJA2.

4.3.3.2 Sheriff's

"Relationships with Sheriff's are a LOT better than they used to be... They make themselves available to the community". Koori community member.

"Sheriffs are pretty proactive these days in shifting fines to orders". Koori community member.

"The stand-out change has been the positive relationship built by the Sheriff's with the community". RAJAC Chair.

"To be honest, we used to just go into the Koori community and arrest as many people as we could find [who had warrants against them]. Now we try to be proactive and educate people on what they can do to deal with their fines". Sheriff in a non-metro region.

Sheriff's Officers can have a large impact on Koori overrepresentation in the justice system. Even small fines, if unpaid, can quickly escalate to significant penalties and imprisonment.

In 2004, Victorian Aboriginal Legal Service (VALS) stated that "In the case of Penalty Enforcement Warrants, Indigenous Australians are often subjected to harsh measures at the hands of the Sheriff, such as seizure of property or arrest"²³. While we do not contend that this has reversed completely in Victoria, there is evidence that Sheriff's Officers are more responsive and inclusive of Koori needs as a result of the AJA2. As with Police, more can be done.

A recent report by the Public Interest Law Clearing House (Vic) undertaken with VALS stated that sheriffs are increasingly engaging with the Koori community and getting good results²⁴. Indeed, outreach to the Koori community, often with the help of the LJWs and RAJACs, is becoming increasingly common. For example, in Ballarat and Horsham Sheriffs have specific days at the Koori Co-ops to help Koories deal

²² Based on detailed analysis of AJF minutes.

²³ VALS submission to the Victorian Parliament Law Reform Committee in Response to the Warrant Powers and Procedures Discussion Paper (July 2004)

²⁴ Public Interest Law Clearing House (Vic) with the Victorian Aboriginal Legal Service (VALS), Aboriginal Credit and Debt Clinic Project Report and Evaluation, July 2011

with fines, and contribute articles to the co-op newsletter. In the Western Metro region a Community Accord has been signed between Police, DoJ, Sheriffs Office and RAJAC to outline how they will work together in the region. In several RAJAC meetings in other regions, Sheriffs demonstrated strong collaboration. Sheriff's Officers report meeting regularly with Local Justice Workers and the Sheriffs Office has contributed funding to the Local Justice Worker Program (LJWP).

Our consultations have found, however, that the level of Sheriff responsiveness and inclusiveness of Koori needs is heavily dependent on the passion and commitment of individual Sheriffs. Some appear to have a long way to go, being described as "very racist" and "backward" in our consultations. New powers for police to issue on-the-spot fines for anti-social behaviour and alcohol misuse will disproportionately affect Koories, making it even more important for Sheriffs to maintain and improve their responsiveness and inclusiveness of Koori needs, to prevent fines leading to increased levels of financial hardship and escalated contact with the justice system.

4.3.3.3 Courts²⁵

"Koori Courts are powerful because people take responsibility for their crime. In the adversarial system the accused is quite removed from the process". Mental health service provider

"There have been benefits from the Koori Courts not measurable in numbers. The active participation of the Koori accused is very powerful, having their life stories listened to and wanting to help improve the outcomes for Koories should lead to reduced recidivism over time. The inclusion of the Koori Elders has increased respect for them in the community and strengthened the community". Justice agency stakeholder.

Changes to courts are perhaps the most visible and often-cited impact of the AJAs in Victoria due to the establishment of Koori Courts. At the time of The Royal Commission, courts were perceived by many Koories as intimidating, confusing, racist and unjust²⁶. Koori Courts aim to address these concerns by providing a culturally-sensitive, non-adversarial Court for Koories who plead guilty to certain types of offences.

Certainly the Koori Court processes are more culturally appropriate than regular Magistrates', County and Children's Courts, while not being more lenient. The active involvement of Elders and Respected Persons, culturally-sensitive Magistrates, Koori Court Officers and defendants themselves drives greater understanding of the underlying causes of the offence and its consequences²⁷. Outcomes from Koori Courts are likely to be more appropriate for the circumstances of a Koori offender. For example, Koori Court appearances are much less likely to result in a fine than in a regular Magistrates' court, because fines may compound underlying causes of crime such as financial hardship. Offenders at Koori Court are more likely to receive an adjourned undertaking or a community based order, as these may be seen as more appropriate and manageable in some contexts²⁸.

Our consultations with justice agencies and the Koori community demonstrated a high degree of support for the Koori Courts, with many highlighting the need for more Koori courts (including Koori Children's Courts) around the State. This was not unanimous – some community members said that they much prefer mainstream courts because, among other reasons, there is a degree of anonymity. However, it is clear that Koori Courts have greatly improved the responsiveness and inclusiveness of Courts to Koori

²⁵ In the AJA2, Koori Courts are listed under objective 2 which is about diversion from more serious contact with the justice system.

However, as discussed later in this report, it may more strongly respond to objective 5 about responsive and inclusive services.

²⁶ Royal Commission into Aboriginal Deaths in Custody, Volume 3 (1991)

²⁷ Marchetti, E (2009) "Indigenous Sentencing Courts" Indigenous Justice Clearinghouse, brief 5.

²⁸ Sentencing in the Koori Court Division of the Magistrates' Court – A Statistical Report, Sentencing Advisory Council, October 2010

needs in the geographic areas in which they operate²⁹. Any expansion of the Koori Courts would extend these benefits to more Koories within Victoria.

4.3.3.4 Youth services and youth justice

“These days we do a lot of case management for Koori young people who come into contact with the justice system. We do whatever we can to get them back on the right path”. Youth Justice Worker.

“It’s easier if [service providers] understand us, like how different it is to be in an Aboriginal family and how important cousins and aunts and uncles are”. Koori young person.

Youth Services and Youth Justice have implemented a range of programs to improve their responsiveness and inclusiveness to the needs of Koori youth. As part of the AJA2, this includes the Koori Intensive Bail Support Program, the Koori Early School Leavers and Youth Employment Program, the Koori Pre and Post Release Program and the Yannabil program. These are summarised in Table 1 in Section 4.1 above.

These programs have been recently evaluated, which found that they broadly align to best practice approaches and are achieving their short-term aims of providing culturally appropriate support for young people, strengthening protective factors and improving the cultural capacity of justice services³⁰. Our consultations support those findings.

Koori youth consultations also highlighted a desire from many young people to access mainstream services that are culturally aware so that they can be assured anonymity. It is important that cultural safety is a focus of all youth justice service providers, not only the critical Koori-specific providers.

4.3.3.5 Community corrections

“[Mentor’s name] cares about the individuals. He spends time with them, chasing them up. He has respect in the community and is committed to the job, 24/7, so he gets people through their orders”. Koori community member.

“They [Koori offenders] need pretty intensive support to get them through their orders. Sometimes it can be 5hrs per week just for one person”. Local Justice Worker.

“We are seeing Corrections working with the community and individuals. As a result people are completing their orders and not having to return to the system”. RAJAC Chair.

Koories successfully complete 63% of supervised orders compared to 74% for non-Koories³¹. This highlights the need to focus on tailoring the community corrections approach to Koori needs. This has been achieved in many communities through programs such as:

- The Local Justice Worker Program (LJWP)
- The Koori Offender Support and Mentoring Program (KOSMP)
- Wulgunggo Ngalu Learning Place
- Indigenous Community Corrections Officers (ICCOs).

²⁹ This is supported by Borowski, A (2009) “Courtroom 7: An Evaluation of the Children’s Koori Court of Victoria” and Marchetti, E (2009) *ibid.*

³⁰ SuccessWorks (2010) “Koori Youth Justice Program Review”, Department of Human Services.

³¹ Corrections Victoria data.

While these programs have not been evaluated (evaluations of Wulgunggo Ngalu, KOSMP and LJWP are currently underway), it is clear from our consultations that they have significantly improved Community Corrections' responsiveness and inclusiveness of Koori needs. They do this in three key ways:

1. They remove barriers to completing orders which are common in the Koori community. In particular, they help Koories to understand their orders, travel to their orders (by providing transport), allow flexibility to respond to the specific situation of the offender and their family, and they motivate offenders to complete their orders
2. They refer or provide culturally appropriate services to address the root causes of offending behaviour
3. They strengthen cultural understanding and connection. Various studies have highlighted positive effects of cultural connection on feelings of self-worth and confidence, pride, respect and responsibility within Indigenous communities.

4.3.3.6 Prisons

"The AJA gives us a really good framework. [Prison staff] on the ground are busy doing their jobs and wouldn't normally think about strategies like the AJA. The AJA framework helps us to translate it to them". Corrections manager.

Prisons are now more culturally appropriate than they were before the AJAs. Aboriginal Wellbeing Officers (AWOs), Aboriginal Liaison Officers (ALOs) and Indigenous Services Officers (ISOs) now assist Koori prisoners as well as helping other prison staff to understand the needs of Koori prisoners. Koori-specific programs are now in place to help Koories to heal, build cultural connection, improve their skills and avoid reoffending. These include:

- Marumali healing program
- Aboriginal Cultural Immersion
- Koori Faces
- Aboriginal Family Visits
- Koori Cognitive Skills
- Konnect – Koori Transition Support Program.

These programs are a part of the overall provision of services and once completed, prisoners are more likely to go on to other programs. Consultations highlighted some shortcomings with these programs and could be improved by dealing with important underlying issues, such as drug and alcohol dependence in a culturally sensitive way. Programs have also not run consistently over time, and transition support has been highlighted as a gap, which is discussed further in Section 7.5.

4.3.3.7 Other justice-related services

"We have had real success working with families, DHS and Justice. We have had instances of success with kids having been able to be returned to their families". Community organisation CEO.

There are numerous examples of other improvements in the responsiveness and inclusiveness of justice-related services. Many of these have been delivered through specifically allocated roles, such as ICCOs, AWOs, ACJPs, LJWPs, RAJACs and LAJACs.

4.3.4 Progress varies considerably by location.

“Just getting to services can be tough, not all services are available here and transport isn’t available too”. Koori community member.

It is important to note that while overall, justice services and programs have become much more responsive and inclusive of Koori needs, as discussed above, the level of progress varies considerably by region and within regions. In particular, none of the services discussed above are available everywhere in Victoria. The level of competence and commitment of the workers involved also has significant impacts on success in that local area.

For example, in regions where there was no ACL0, particularly where there was also not a committed and respected PALO, relationships between police and the Koori community appear to be strained. The locations of Koori Courts and Wulgunggo Ngalu were also highlighted as significant barriers to participation. We discuss regional and locational variation further in Section 6.3 of this report.

4.4 Progress has been made in strengthening community justice responses.

“The community needs to be influenced from the inside out for things to change”. Koori service provider.

“The AJA2 has empowered the Koori community. It has given us a voice”. RAJAC Chair.

“Self-determination is both a construct of Aboriginal culture and a globally recognised human right of peoples – distinct in our culture, territory and history – to our territory, land and resources and our own culturally shaped social, economic and political institutions”. Jones & Day, 2008.

“... in the journey towards genuine reconciliation... Koori communities need to have ownership of all relevant policies and programs, as well as adequate support and resources”. Royal Commission Review.

A key objective of the AJA2 was to “Build capacity in and strengthen Koori communities so they are better able to improve their justice outcomes, particularly through the delivery of place-based initiatives”. Our review has highlighted progress in this area, although there is more to do. In particular:

- Significantly more services are now delivered by Koori organisations and community members than before the AJA2, strengthening Koori justice responses
- The AJA2 has largely followed a place-based approach based on the perceived needs of the local community
- Specific training has been provided to a large number of Koories to help them in their roles.

These findings are discussed in more detail below.

4.4.1 More services are now delivered by Koori organisations and community members than before the AJA2, strengthening Koori justice responses.

“You just see more Koori faces these days working in justice. It means cultural safety”. Koori community

member.

“The biggest thing is just seeing Koories as workmates, part of our daily work lives – this is true across the board – and is of immeasurable value. It changes the workplace culture, your knowledge and understanding and reduces the feeling of alienation [in the workplace for Koories]”. Justice agency stakeholder.

Koori organisations have played a significant role in delivering and supporting Koori justice outcomes in the regions. Frontline and Community Initiatives Programs must be auspiced by Koori organisations and have attracted 10% of total AJA funding, and many other programs, including KOSMP, LJWP, ACPS, KNPs or Koori Youth Justice Workers are either only funded in Aboriginal controlled organisations, or there is the preference to fund Koori organisations to run these programs

Within justice agencies, Koori employment has increased substantially, particularly through the increase in Koori-specific roles. Corrections Victoria, for example, now employs 19 full-time Koori staff as ICCOs, AWOs, in the Konnect program and in cultural programs³². Koori Courts employ 14 full-time staff as well as having a network of approximately 60 Koories involved in the Koori Courts as Elders and Respected Persons³³. The Department of Justice as a whole currently has 132 Koori staff (as at November 2011), which comprises 1.5% of its workforce, in both Koori-specific and mainstream roles. It is now pursuing a goal of 2.5% Koori employment³⁴.

4.4.2 The place-based approach has tailored justice responses to the perceived needs of the local community.

“A lot of the best [justice] programs have come from the Koori organisations and the community. They’re the ones who see what the problems are. They can be really innovative” RAJAC Chair.

“The RAJAC helps to coordinate effort and funding, it reduces duplication of effort – a local youth forum was created from the RAJAC effort, this wouldn’t have happened without the RAJAC.” RAJAC Chair.

“The RAJAC provides a vehicle for support and connection, a voice – we are developing two gathering places with the RAJAC support. We will have to wait and see how people engage, but we are getting outcomes.” Koori community member.

Koori communities in Victoria are many and diverse. They have differing cultures and history, and while many of the issues that they face are similar, the details and priority of these issues varies considerably.

For these reasons, a place based approach was strongly supported by many stakeholders that we consulted with, particularly community members. Most said that the AJA2 was indeed following a place-based approach, largely through the RAJACs, LAJACs, CIP and Frontline programs.

Where programs were not directly controlled locally, some communities felt empowered to influence those programs through the RAJAC. For example, in some regions the community has a role in selecting and/or inducting PALOs and delivering general ICAT training. Similarly, the way that the Koori Youth Justice Worker, LJW and KOSM Programs are designed and delivered varies between locations based on perceived local needs.

³² Survey conducted as part of this evaluation, October to November 2011

³³ Survey conducted as part of this evaluation, October to November 2011

³⁴ “Koori Justice – the Victorian Aboriginal Justice Agreement in Action”, Spring 2011

It is important to maintain a balance between the placed-based approach and sharing learning across the State. Koori Court Officers are a good example of how this can be achieved. These workers regularly meet across the State to share their experiences and receive training, while also being empowered to adjust parts of their role to suit local needs.

It is also important that geographic barriers to services are minimised where possible. Further discussion on this point can be found in Section 7.6.1.

4.4.3 Specific training has been provided to a large number of Koories and service providers to help them in their roles.

"We have a network of ICAT trained service providers that are also employing and training Koories to deliver their services – this is having a hugely positive impact for our clients, it can only lead to better outcomes". Justice agency stakeholder.

Through consultations and a survey it is clear that training has been provided to a large number of Koories and others delivering AJA2 programs. This has included formal training (50% of survey respondents³⁵ indicated they had formal training to help them in their role on the AJA2), ongoing advice and support (42%) and other information (24%). This has come from Koori Elders and Respected Persons (28%), staff from community organisations (40%), government departments and staff (54%), RAJAC EOs (12%), and others. Support networks have also been established for Koori Youth Justice Workers, Koori Court Elders and Respected Persons, DOJ staff (via the Koori Staff Network) and others.

However, around 50% of surveyed and consulted community stakeholders believed that more training and support was required to build community capacity and capability. Koories in justice-related roles are called upon to help Koories with multiple complex issues at any time of day or night. Some feel ill-equipped to deal with many of those issues. While we have not evaluated the needs of each program or the capacity of specific individuals, continued focus on capacity building is indicated particularly for LJWs, Koori Youth Justice Workers, ACJPs and ACLOs.

Consultations and surveys also highlight the need for improved capacity in, and focus on, program management, monitoring and evaluation. This is discussed further in Section 9.1.4.

³⁵ Please note: Respondents to the survey conducted as part of this evaluation were not necessarily representative of all workers under the AJA2, because some areas responded more diligently than others. Therefore, these results are indicative only. N=50.

5 Overrepresentation³⁶ remains, but there is some success.

The overall aspiration of the AJA2 was to reduce Koori overrepresentation in the justice system. Throughout the AJA2:

Findings	Section
Koori adult overrepresentation in prison appears to have reduced in all non-metro regions. This is partly due to increased use of CBOs ³⁷	5.1
In metropolitan regions ³⁸ , adult overrepresentation has stayed the same or worsened. In the Northern Metropolitan region, which has the highest Koori population in the State, overrepresentation in prison is now 36% higher than in 2002	5.2
State-wide, Koori overrepresentation has worsened by 17%. There is some evidence that it may have been even worse without the AJA2. It is important to note that reduced overall overrepresentation is a long-term goal that cannot be achieved within five or ten years	5.3

These findings are discussed in more detail below.

5.1 All findings on overrepresentation are indicative only and cannot be statistically significant.

The AJAs have only been in operation for ten years, and the AJA2 only five years. Also, the sample size is small given the relatively small Koori population. Therefore any change in underlying trends in imprisonment cannot be measured with an acceptable level of accuracy. All quantitative findings in this report are indicative only. The time series removes potential bias and we have confidence in drawing the conclusions presented.

5.2 Overrepresentation appears to have reduced in non-metropolitan regions and worsened in large metro regions.

All non-metropolitan regions have seen a reduction in Koori overrepresentation in prison during the AJA2. In contrast, metropolitan regions have stayed the same or deteriorated. The Northern

³⁶ Over representation has been calculated based on population adjusted rates by region. Census results have been extrapolated based on the cumulative annual growth rate by LGA between 2001 and 2006 to provide an estimate of the Koori and non-indigenous population by region. Population has been forecast by age group and sex to enable distinction between the adult and juvenile population for both males and females. Key indicators have been divided by the population to calculate a per capita rate which has then been compared with the non-indigenous rate to derive the level of overrepresentation.

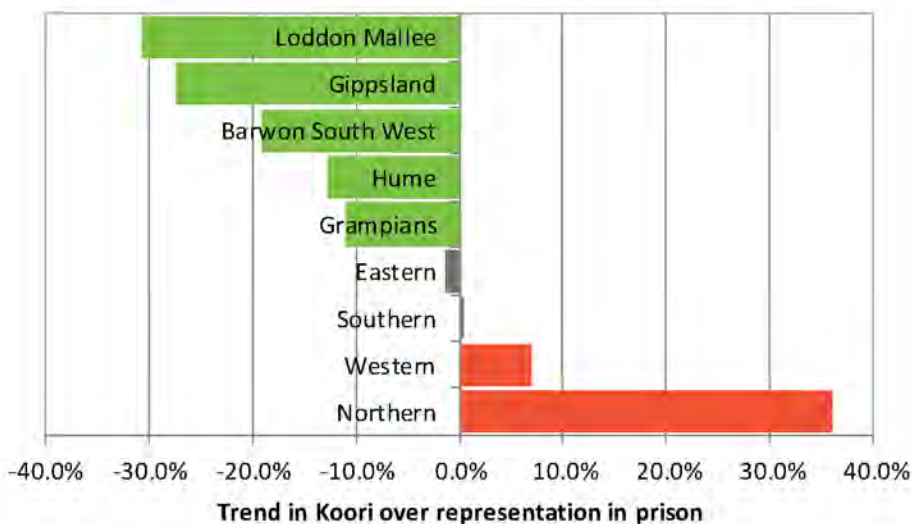
³⁷ Please see Appendix D for an explanation of data sources and calculation methodology. Data tables for quantitative indicators by region, sex and age can be found in Appendix E.

³⁸ Please see Appendix C for an overview of Justice regions.

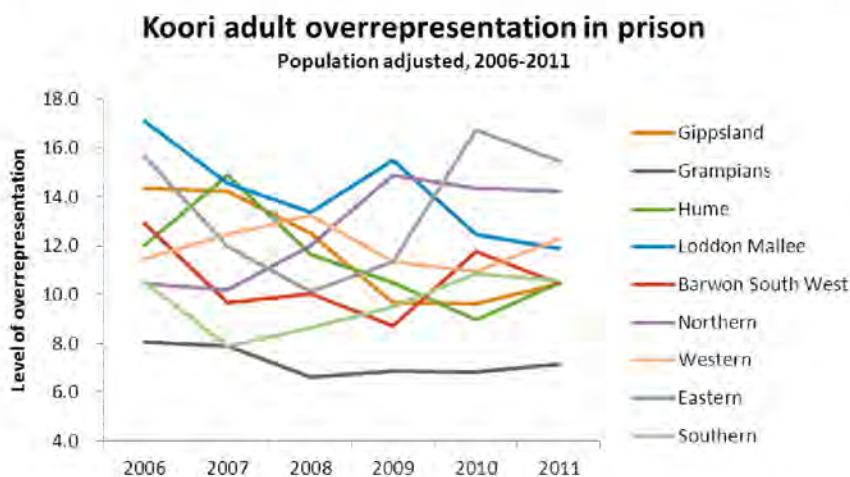
Metropolitan region – the region with the highest Koori population – has increased overrepresentation by over one third.

A comparison between regions is shown below. For simplicity, just the percentage change between 2006 and 2011 is presented in the table. Trends are shown on the graph following, and a comparison to funding levels in each region is presented in Section 5.2.2.

Table 5: Percentage change in Koori adult overrepresentation in prison by RAJAC region, 2006-2011³⁹



The graph below highlights the trends in Koori overrepresentation by region. The Eastern region has seen the most volatility, largely due to a small prison population which states their residential address in this region. The level of volatility of all regions indicates that none are ‘out of the woods’ yet; all regions need continuing focus to develop long term trends of improvement. Figure 5: Trends in Koori overrepresentation in prison, by RAJAC region⁴⁰



³⁹ Source: Corrections Victoria data by LGA, matched to current Justice Regions. This has been population adjusted using straight line extension of population growth between 2001 and 2006. Note that at the beginning of this period, Eastern Metropolitan and Western Metropolitan were part of South Eastern Metropolitan and North Western Metropolitan regions respectively.

⁴⁰ Source and other information as above.

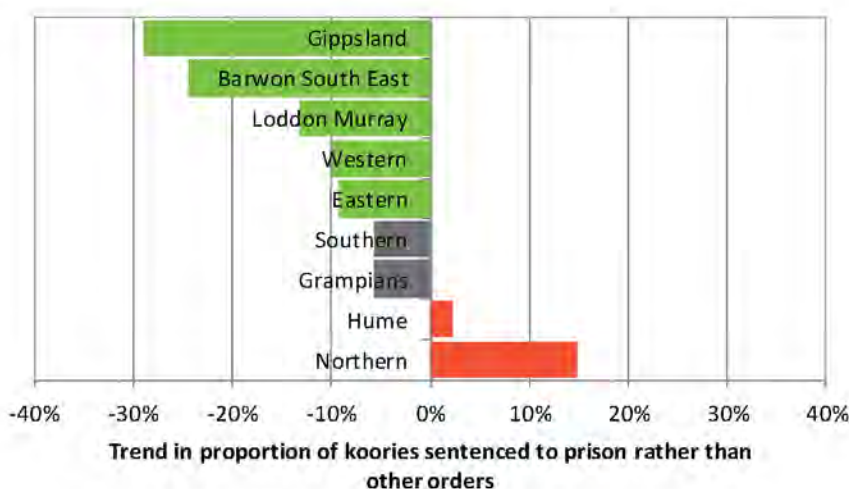
5.2.1 Changes in overrepresentation are largely explained by increased use of CBOs.

Two variables explain almost 25% of the changes in overrepresentation, which are:

- The likelihood of being processed by police (police contact rates)
- The proportion of Koories sentenced to prison rather than other orders.

Of these variables, the proportion of Koories sentenced to prison rather than other orders has by far the highest impact. A summary table of the change in the proportion sentenced to prison compared to other orders is shown below. For example, in Gippsland, Koories in 2011 are 29% less likely to be sentenced to prison compared to other orders than they were in 2006.

Table 6: Proportion of Koories sentenced to prisons rather than other orders, % change 2006-2011⁴¹



Strengthening alternatives to imprisonment is the AJA2 objective that has attracted the second-highest amount of AJA2 funding at 22% (refer to Section 4.3.2 for a full breakdown of funding). If Koori Courts are included under this objective, this raises the funding allocation to 43% of overall funding. In many regions, this seems to be delivering results.

Despite these improvements seen in many regions, less positive results in the Northern Metropolitan and Hume regions mean that the overall proportion of Koories sentenced to prison rather than other orders has not changed during the period of the AJA2. This is discussed more in Section 6.2⁴².

5.2.2 It is likely that the AJA2 has contributed to these improvements.

It is important to note that correlation does not imply causation. The AJA2 itself may not have caused the changes in use of CBOs and overrepresentation overall.

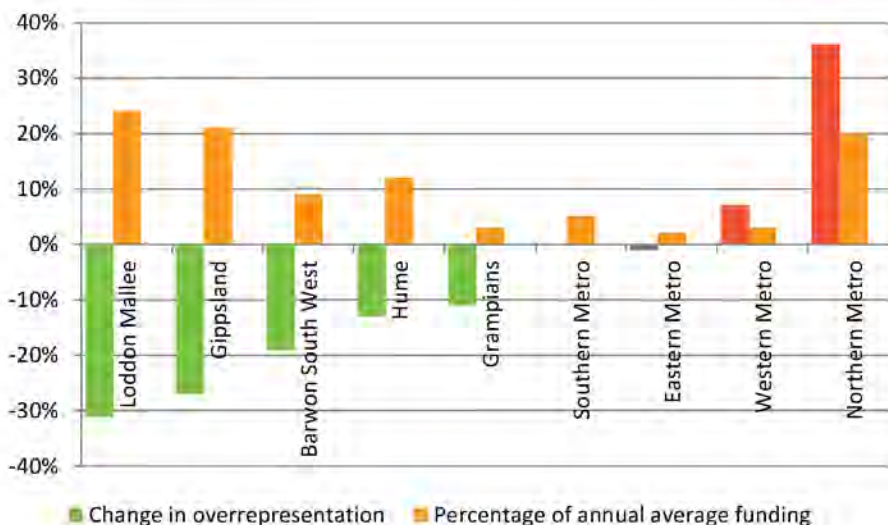
Our conclusion is that programs under AJA2 have contributed to a large portion of the improvements within regions. Not all outcomes have improved. This is not considered a failing of the AJF. This is based on the following:

⁴¹ Source: Corrections Victoria data by LGA, matched to current Justice Regions. This has been population adjusted using straight line extension of population growth between 2001 and 2006. Note that at the beginning of this period, Eastern Metro and Western Metro were part of Southern Metro and Northern Metro respectively.

⁴² Source: Corrections Victoria data

- The AJF has focused justice agencies on improving justice outcomes, and forced them to remain focussed throughout the AJA2
- The types of programs implemented have broadly aligned with global best practice thinking on improving Indigenous justice outcomes
- The programs implemented could be logically expected to deliver the positive outcomes that we have seen in some regions
- With the exception of Northern Metro, we have seen better outcomes in regions that have attracted more funding. This is shown in the table below.

Table 7: Comparison of funding to changes in overrepresentation⁴³



On the other hand, we note that LGA’s with more programs have a lower than average improvement. These are the LGA’s with the greatest levels of Indigenous contact with the justice system and greatest levels of overrepresentation. Therefore we cannot draw a conclusion that the programs themselves are ineffective.

⁴³ Funding for Eastern Metro and Western Metro is averaged over three years rather than five to account for their recent establishment. These percentages do not include central funding which includes prison programs, programs with State-wide delivery (Wulgunggo Nglau, ACIPs, VAJAC etc.) and admin support for regional programs. All regional funding has increased over the five years, including Northern Metro’s despite being made geographically smaller.

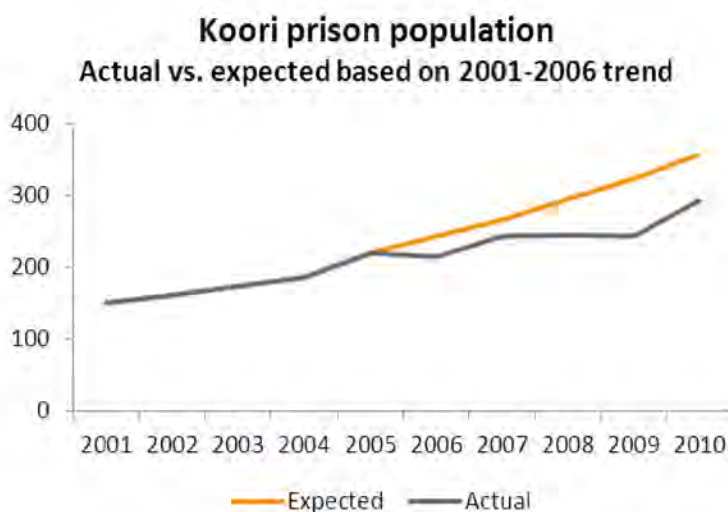
5.3 Without the AJA2, overrepresentation may have been higher.

A different way to consider the effectiveness of the AJA is to ask the question “What would be happening if there was no intervention?”

According to the ABS, overrepresentation of Koories in Victoria’s prisons was 17% higher in 2010 than it was in 2006. As we saw in the previous section, this is driven by the metro regions. Note that the 17% is based on data that is age standardised and based on detailed population estimates from the ABS, so it is the most accurate data we have available⁴⁴.

Without intervention, the projected increase in overrepresentation could be even greater. This conclusion is drawn from projecting the rate of increase prior to the AJA2 over the period 2006-2010. As shown in Figure 6 below, the projected increase expected is much higher than the actual increase in overrepresentation during the AJA2.

Figure 6: Koori prison population - actual vs. expected based on 2001-2006 trends



This is also true for outcomes earlier in an offender’s journey through the justice system. The number of alleged offenders, which is the number of offences alleged to be attributed to Koories, has been lower than would have been expected following 2001-2006 trends. The same is true for distinct offenders, which is the number of Koories that are alleged to have committed those offences. This is shown in Figure 7 below.

⁴⁴ Please refer to Appendix D for more detail on data sources and analysis methodology.

Figure 7: Estimated improvement in Koori justice outcomes in 2011 compared to pre-2006 trends



Please note that improvements in alleged offenders and distinct offenders are based on Victoria Police data. This is subject to an undercount because it is based on a subjective assessment of racial appearance made by individual police officers. The SIQ, which involves individual self-identification as having Aboriginal or Torres Strait Islander origin, was introduced in 2003/04. Differences in both data sets suggest that this error could be >20%, however we have used racial appearance data because this is available since 2002. Also, lack of operational use of the SIQ has led to inconsistency in the data over the period⁴⁵.

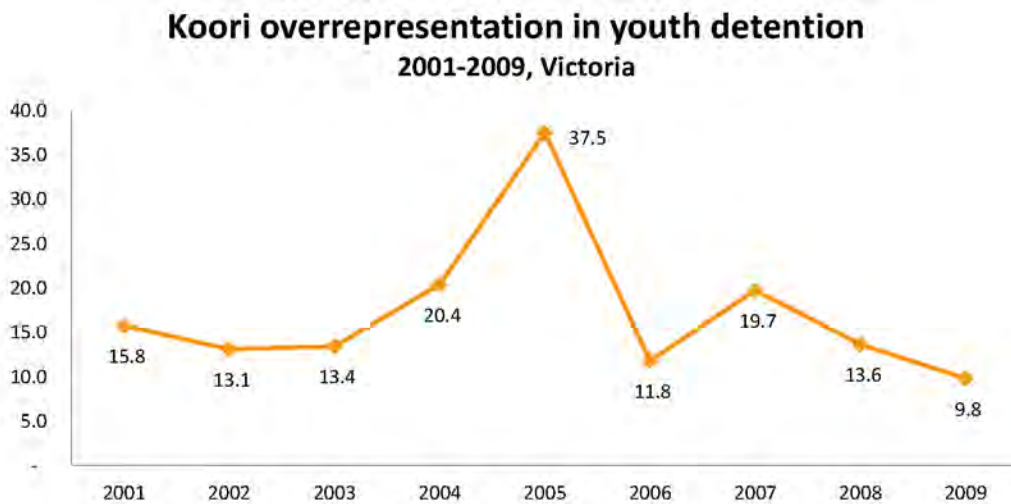
Also note that these changes, like the others in this report, are not statistically significant due to the small sample size.

5.3.1 Koori overrepresentation in youth detention may be reducing, but it is too soon to be sure.

Since 2005, overrepresentation in youth detention has decreased dramatically. However, as shown in Figure 8 below, 2005 was not a typical year and it should be noted that due to small numbers this data is highly volatile - which would explain the large fluctuations. No clear underlying trend has yet emerged during the life of the AJA2, although 2009 had the lowest level of overrepresentation in youth detention in the data set (which starts in 2001).

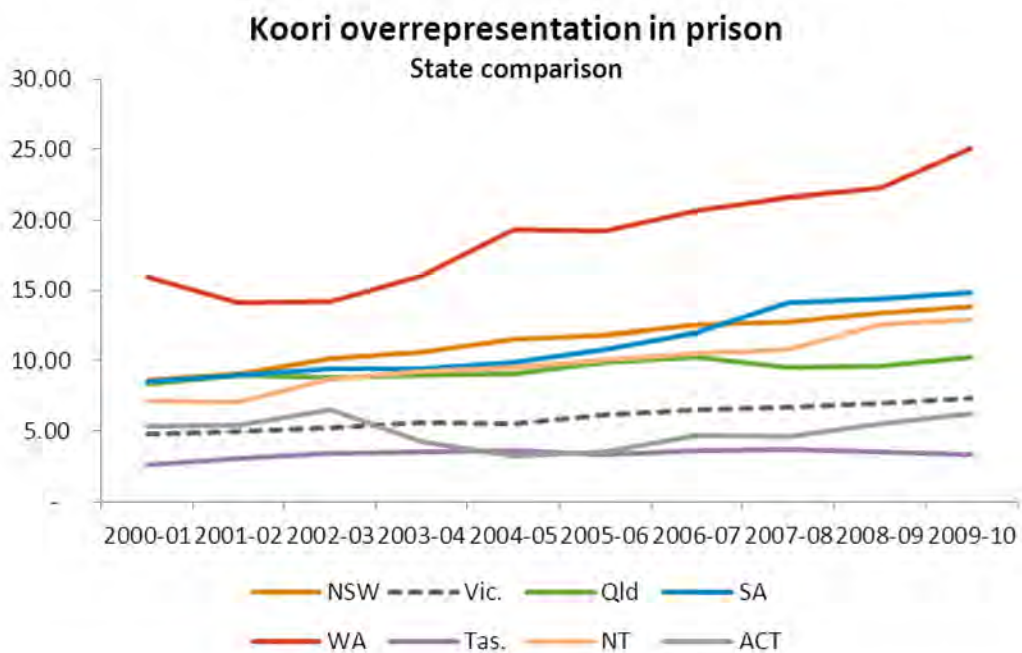
⁴⁵ Further discussion on data limitations can be found in Sections 4.2.6.1 and 9.1.2.1.

Figure 8: Koori overrepresentation in youth detention, 2001-2009, Victoria⁴⁶



5.3.2 National comparison shows Victoria has performed well.

Figure 9: Koori overrepresentation in the corrections system, by State, age standardised, 2000-01 to 2009-10⁴⁷



Koories in Victoria have better justice outcomes than all other States and Territories apart from Tasmania and the ACT, which have comparatively low Indigenous populations. Tasmania is the best performing State, with the lowest rates of overrepresentation and the greatest improvements over time.

⁴⁶ Source: Overcoming Indigenous Disadvantage: Key Indicators 2011. Overrepresentation means the proportion of Indigenous Australians to Non-Indigenous Australians.

⁴⁷ Source: Productivity Commission Indigenous Compendium, Corrective Services – attachment (2010). Age standardised means that the data has been adjusted to remove the impact of the younger profile of the Indigenous population.

The ACT has low rates of overrepresentation, and Queensland has seen recent improvement. Other States and the NT have more overrepresentation and similar or worse trends to Victoria over time.

The States and Territories vary widely in their history, culture, demographic characteristics and issues, as well as their levels of overrepresentation, so they are not directly comparable.

5.3.3 Reducing absolute overrepresentation is an aspirational goal.

“You can’t expect [overrepresentation] to change overnight. It took 200 years to get us into this mess; it may take 200 years to get out again!” Koori community member.

“The overrepresentation of Indigenous people in criminal justice systems throughout Australia remains an urgent and seemingly intractable problem”. Cunneen & Allison, 2010.

Reducing Koori overrepresentation in prison remains the overriding objective of the AJA2. The ten-year timeframe of the AJAs, and particularly the five-year timeframe of the AJA2, are likely to be too short to see State-wide improvements in overrepresentation. This should not be interpreted as a failure of the agreement. Rather it is due to the complexity of the subject area, the multigenerational drivers of crime and the many factors that contribute to justice outcomes that sit outside the justice area. This is reflected in the Commonwealth of Australian Governments (COAG) “Closing the Gap” Agenda, which sets generational targets, based on an understanding of the complexity of the issues, and the need for long-term sustained effort.

The six strategic objectives detailed in Appendix B underpin the AJA and the areas of specific action for the period of this AJA. It is the cumulative effect of the actions on each of the strategic objectives that have been the primary focus of this evaluation.

5.3.4 Underlying issues contribute to overrepresentation, and have generally improved over the AJA2 period.

Many factors that are not directly addressed by the AJA2 contribute to Koori crime rates. In fact, The Royal Commission noted that:

“... the fundamental causes of overrepresentation of Aboriginal people in custody are not to be found in the criminal justice system but in those factors which bring Aboriginal people into conflict with the criminal justice system in the first place...”. Royal Commission, 1991.

The Implementation Review highlighted that addressing the underlying issues of racism, education, employment and economic status, housing, families and children, health and wellbeing, alcohol and other substances, community capacity, land needs and cultural survival, and reconciliation was required to deliver improvements in overrepresentation in the Justice system⁴⁸.

The Implementation Review also found that “the Victorian Government has been actively addressing these underlying issues”. Under the VIAF and the Closing the Gap agenda, actions are being pursued that directly target these underlying issues.

⁴⁸ Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody, Review Report, Volume 1, October 2005

The links between underlying issues and justice outcomes is clear. For example, Jones (2009) identified 31 risk factors for youth offending. Only one of those is directly within the justice system's traditional area of focus. However, the justice system has contact with Koories who are most at-risk, through police – a point where intervention is critical. Similarly, Koori Court records show that 90% of Koori accused have not completed education beyond year 10 and 69% were unemployed⁴⁹.

Due to their impact on Koori justice outcomes an overview of trends in these causal factors is provided below, along with likely impact on Koori overrepresentation in the justice system. The trends outlined apply to improving outcomes for people who have had contact with the justice system equally with those who have had no contact.

Key trends in Victoria which may have contributed to improved Koori justice outcomes between 2005 and 2011 have been:

- Koori school retention from year 7 to year 12 has improved since 2005, from 38.4% to 41.8%⁵⁰
- Koori substance use (including 'analgesics and sedatives for non-medical use', 'amphetamines or speed' and 'marijuana, hashish or cannabis resin') has reduced in Victoria. In 2002, 31.8% of Koori Victorians reported having used substances in the last 12 months. By 2008 this had reduced to 27.5%⁵¹
- Koori labour force participation in Victoria has risen from 56.9% in 2006 to 66.3% in 2010⁵²
- Attendance at social activities, sporting and physical recreation activities and cultural activities have improved amongst Koori Victorians, by 1%, 13% and 13% respectively⁵³.

Key trends in Victoria that may have negatively impacted Koori justice outcomes:

- Risky/high risk alcohol use in the Victorian Koori community rose from 33.8% in 2002 to 39% in 2008⁵⁴
- Koori unemployment in Victoria has risen from 15.8% in 2006 to 16.3% in 2010, although this is explained by rising labour force participation⁵⁵.

6 Progress towards other AJA2 objectives is mixed but there are some promising signs.

In Section 3, strong progress was noted against the qualitative objectives of the AJA2, which were to

- Make mainstream and positive justice-related services more responsive and inclusive of the needs of the Koori community (objective 5)
- Build capacity in and strengthen Koori communities so they are better able to improve their justice outcomes, particularly through the delivery of place-based initiatives (objective 6).

⁴⁹ Sentencing in the Koori Court Division of the Magistrates' Court: A Statistical Report, Sentencing Advisory Council, October 2010

⁵⁰ ABS Schools data

⁵¹ ABS Safe and Supportive Communities data

⁵² Compares ABS 2006 Census to ABS 2010 Labour Force Survey

⁵³ Source: ABS National Aboriginal and Torres Strait Islander Social Survey, 2002 and 2008

⁵⁴ Source: ABS National Aboriginal and Torres Strait Islander Social Survey, 2002 and 2008

⁵⁵ Source: ABS National Aboriginal and Torres Strait Islander Social Survey, 2002 and 2008

Progress against the overriding objective of the AJA2, reducing overall Koori overrepresentation in the Justice system, was discussed in Section 5.

Other objectives of the AJA2 include⁵⁶:

- Prevent crime and intervene to reduce the numbers of young Koori people coming into contact with the criminal justice system (objective 1)
- Divert Koories from more serious contact with the criminal justice system by strengthening community-based alternatives to prison (objective 2)
- Reduce the rate of re-offending among Koori people by changing factors in the environment and in peoples' behaviour (objective 3)
- Reduce victimisation - and its impact on Koori communities, families and individuals – to help reduce intergenerational factors in offending (objective 4).

Clear trends are yet to emerge against the other objectives and progress has been mixed, but there are some positive signs. These include:

Findings	Section
Youth contact with police and youth detention is beginning to reduce trending down overall since 2002	6.1
State-wide, increased diversion from more serious contact with the criminal justice system has not yet been achieved, although improvements have been seen in some regions as discussed previously	6.2
Reoffending may be beginning to decline after exiting prison	0
Changes in victimisation levels cannot be accurately measured, but services have improved.	6.4

These findings are discussed in more detail below.

6.1 Youth have been a focus of the AJA2. Youth contact with the justice system may be beginning to reduce.

As shown in Figure 4 on page 23, 16% of AJA2 funding has gone towards crime prevention and early intervention, primarily targeting youth. This aligns with a large body of research which highlights the importance of diverting young people away from the justice system to reducing the impact of offending throughout the young person's life⁵⁷.

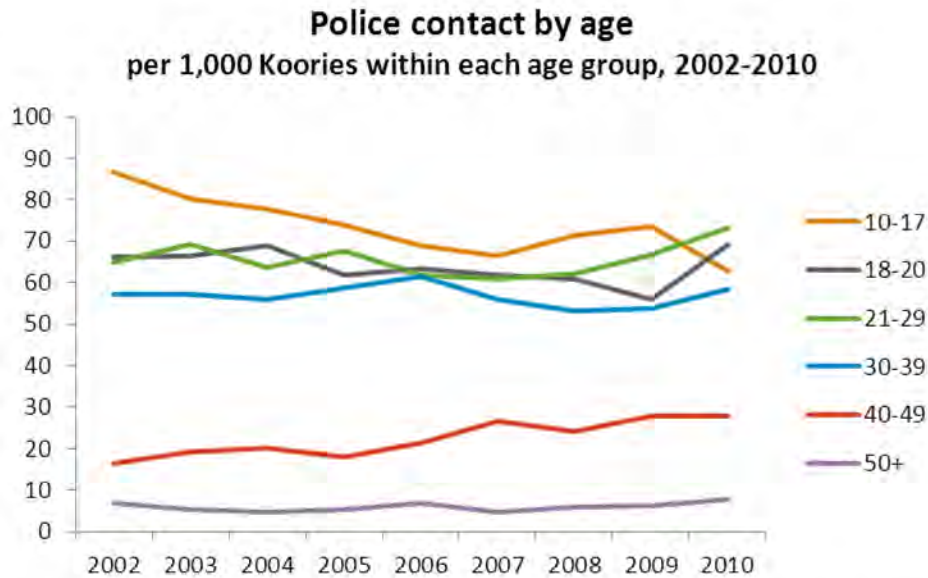
⁵⁶ Please refer to Section 3 for more detail on the AJA2 objectives. Progress against all objectives is summarised in Section 2.

⁵⁷ Source: SuccessWorks, 2010

6.1.1 Youth contact with police has reduced.

Youth contact with police per 1,000 Koori youth has reduced significantly since 2002 for Koories under 17 years old. It should be noted that results by year have been mixed but overall are showing a reduced trend. 18-20 year olds have seen increased police contact.

Figure 10: Police contact by age per 1,000 Koories, 2002-2010



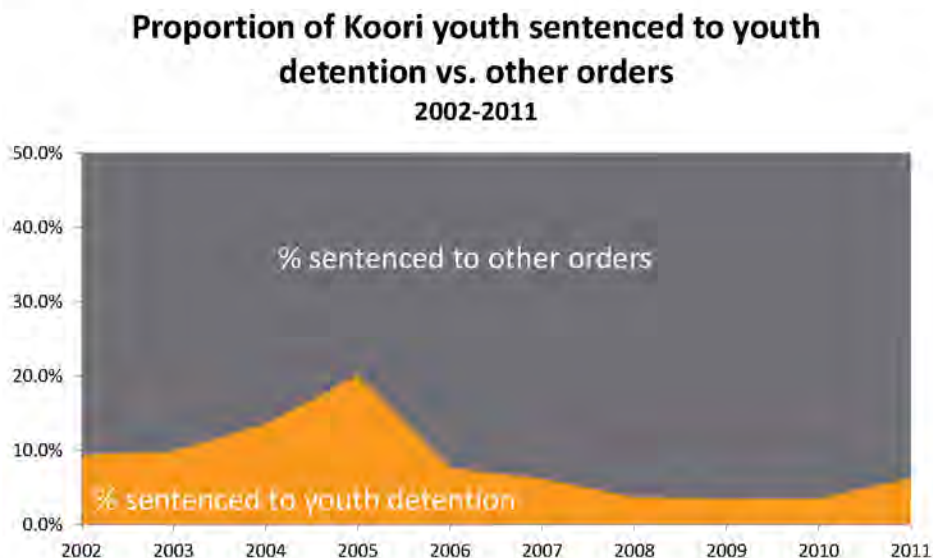
As has been noted previously, Police data is based on a subjective assessment of racial appearance, which may cause discrepancies across individual offenders, stations and years.

Youth are being diverted from more serious contact with the justice system. "Arrest, detention or imprisonment of a child shall be in conformity with the law and shall only be used as a measure of last resort and for the shortest appropriate period of time". United Nations Convention on the Rights of the Child, Article 37⁵⁸

Youth are now less likely to be sentenced to youth detention compared to other orders than they were when the AJA2 was signed, as shown in Figure 11 below.

⁵⁸ Source: SuccessWorks (2010)

Figure 11: Proportion of Koori youth sentenced to youth detention vs. other orders, 2002-2011



Diversion from serious contact with the justice system has been a large focus in Victoria for all youth, Koori and non-Koori. Victoria has the lowest rate of youth detention in Australia⁵⁹. Trends in Koori diversion are broadly consistent with the overall youth population, therefore overrepresentation continues⁶⁰. However, a recent evaluation of the Koori Youth Justice Program (KYJP) found that the Program had been broadly successful⁶¹, and consultations highlighted the positive results that AJA2 programs such as Children's Koori Court, the Koori Intensive Bail Support (KIBS) program and the KYJP have had on the ability of Courts to take into account the specific circumstances of Koori offenders when sentencing.

Diverting youth from youth detention has many positive flow-on effects. Consultations with Koori youth indicated that if there are high rates of youth detention in the community, particularly amongst peers and family members that they admire, imprisonment can be seen as an acceptable and even desirable. This, in turn, can lead to even higher rates of youth offending. Therefore, diversion could reduce offending behaviour within the local youth community.

⁵⁹ Source: Hanson (2009)

⁶⁰ Source: SuccessWorks (2010)

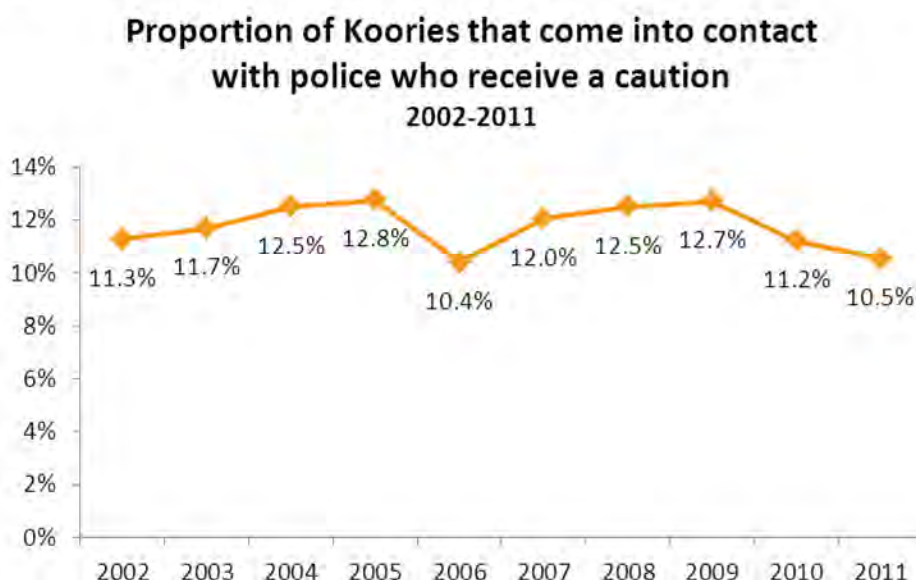
⁶¹ Source: SuccessWorks (2010)

6.2 State-wide, Koories are not being diverted from more serious contact with the justice system.

6.2.1 Police cautioning rates for Koories have been relatively flat throughout the AJA2.

The proportion of Koories who receive a caution when they come into contact with Police has not changed significantly during the AJA2. This is shown in Figure 12 below.

Figure 12: Proportion of Koories that come into contact with police who receive a caution, 2002-2011 Victoria



The types of offences that cause police contact have also remained steady; the breakdown of contact between alleged 'person', 'property', 'drugs' and 'other' offences has been fairly flat between 2005 and 2011, with a slight increase in 'person' and 'other' and a decrease in 'property'. Anecdotally, the seriousness of crimes against the person has increased. If crimes are becoming more serious, flat cautioning rates may indicate an increased propensity to caution offenders. However, we have been unable to verify these claims (offence categories do not clearly indicate seriousness).

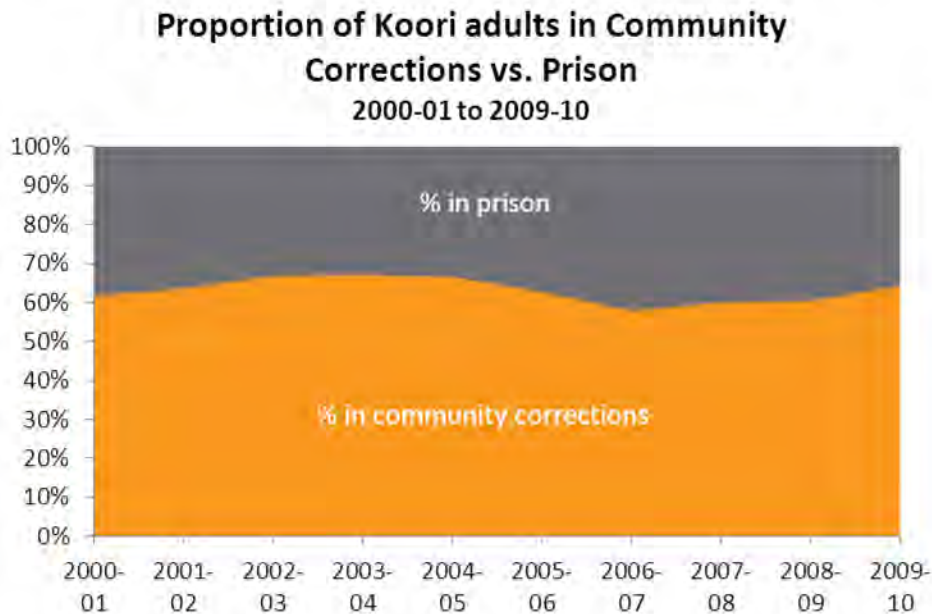
6.2.2 Koories are more likely to be sentenced to prison compared to community based orders than they were in 2005.

As discussed in Section 5.2.1 above, non-metropolitan regions have seen increases in the proportion of Koories that were sentenced to community based orders compared to prison. However, the reverse occurred in large metropolitan regions. This means that overall, across the State, Koories are more likely to be sentenced to prison compared to community based orders than they were in 2005.

Increasing alternatives to imprisonment was a large focus of the AJA2, attracting 22% of all AJA2 funding as discussed in Section 4.3.2. If Koori Courts are added into this objective, this proportion rises to 43%. Therefore, limited overall progress in increasing the overall rate of CBOs indicate that the objective to

divert Koories from more serious contact with the justice system has not been achieved.

Figure 13: Proportion of Koories in Community Corrections vs. Prison, 2000-01 to 2009-10⁶²

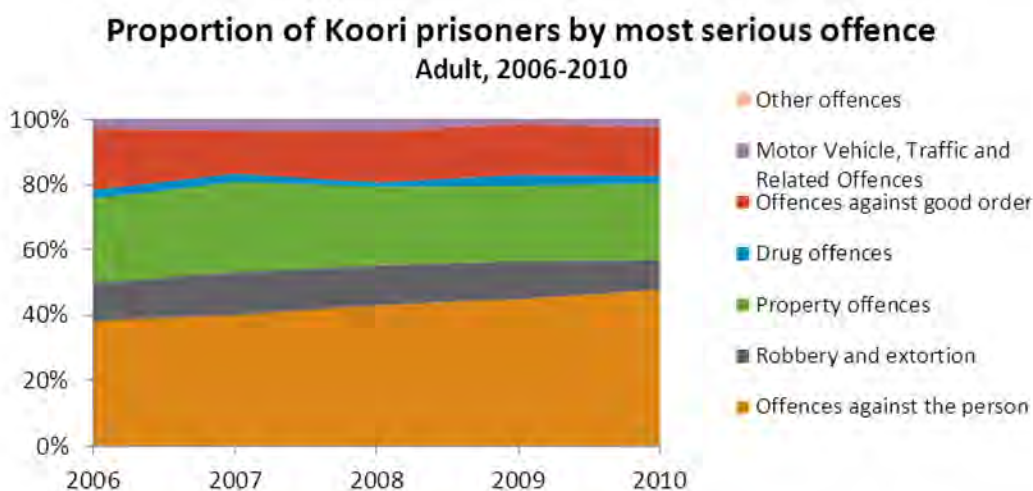


6.2.3 Changing offence profiles may be impacting results.

The proportion of Koories incarcerated for relatively minor crimes seems to be decreasing, as illustrated in Figure 14 below. This may indicate progress; the propensity to send Koories to prison for less serious offences may be decreasing⁶³. It may, however, also be due to improved reporting over time.

⁶² Source: ABS. Note, similar trends are evident in the Victorian Government Indigenous Affairs Report (2009-10) which shows that the proportion of Koories in prison rather than other orders has risen from 20.8% in 2004-05 to 21.0% in 2009-10.

⁶³ Offences against the person includes homicide, acts intended to cause injury, sexual assaults and related offences, dangerous or negligent acts endangering persons, abduction or related offences

Figure 14: Proportion of Koori adults by offence type, Victoria 2006-2010⁶⁴

Anecdotally, increased violence has been more prevalent in metropolitan regions, which may explain the decreased use of CBOs in the Northern Metropolitan region.

6.2.4 CBO completion rates have improved; Koories are now more likely to successfully complete unsupervised orders than non-Koories.

It is vital that offenders successfully complete their community based orders, because:

- Breaching community based orders (i.e. not successfully completing the order) can lead to more serious contact with the justice system
- CBOs are often given to address underlying drivers of offending behaviour, such as drug and alcohol dependence and unemployment, which are critical to avoid reoffending.

CBO completion rates for supervised orders have been relatively flat, and absolute completion rates for unsupervised orders have gone down since 2005. However, Koori completion rates for unsupervised orders have deteriorated less than non-Koori completion rates. Therefore, Koories are now more likely to successfully complete unsupervised orders than non-Koories. This is shown in the graphs below. Note the green line shows the difference between Koori and non-Koori completion rates.

⁶⁴ Source: ABS. Seriousness is measured by ABS using the National Offence Index (NOI). This categorisation helps to compare individuals in the data, because it allows them to be classified based on a single offence (the most serious), even if they are imprisoned because of two or more offences.

Figure 15: Supervised CBO completion rates, Indigenous vs. non-Indigenous 2001-02 to 2010-11

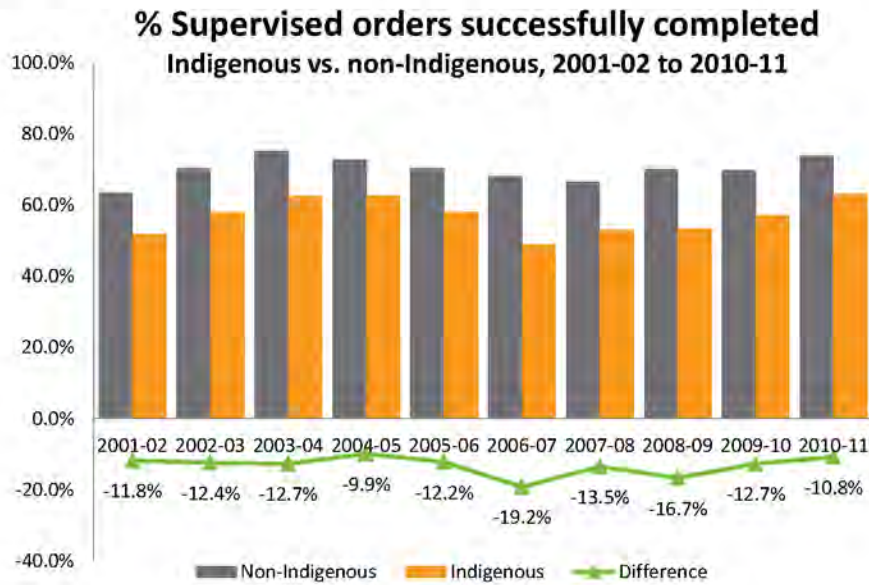
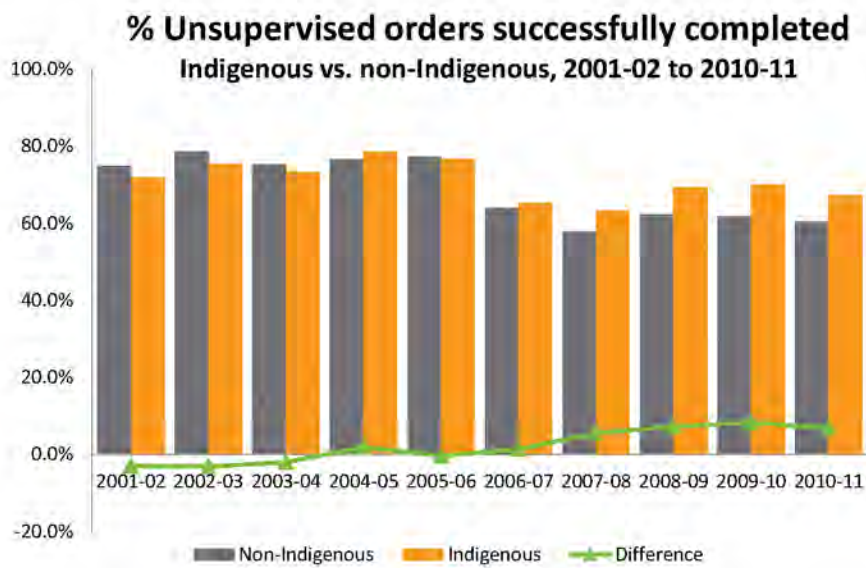


Figure 16: Unsupervised CBO completion rates, Indigenous vs. non-Indigenous 2001-02 to 2010-11



6.3 The AJA2 has had a positive impact on reoffending.

The rate of recidivism seems to have declined according to Corrections Victoria data, with over 12% fewer Koories returning to prison after two years in 2009-10 compared with 2005-06. This needs to be balanced with ABS data on prior imprisonment⁶⁵, which shows an increase in Koories returning to prison in 2010-11, though still below the number that may be expected according to 2001-05 trends.

Figure 17: Number of Koories prisoners returning to prison within 2 years, 2001-02 to 2009-10⁶⁶



6.4 Changes in victimisation levels cannot be accurately measured, but services have improved.

6.4.1 Victimization has devastating impacts on the Koori community.

According to surveys⁶⁷, nation-wide, Indigenous Australians report being a victim of physical or threatened violence at twice the rate of non-Indigenous Australians. The highest rates (30% or greater) are recorded in the Australian Capital Territory, Victoria and South Australia (Bryant and Willis, 2008).

The reasons that Koori victimisation is higher than the general population are many and complex, but include according to Bryant and Willis (2008):

- Higher rates of family violence
- Alcohol and other substance abuse
- Intergenerational crime – because Koories have higher incarceration rates, this impacts their likelihood of being victims themselves
- Ongoing impacts of ‘stolen generation’ policies
- Unemployment.

⁶⁵ The ABS collects recidivism as part of the annual prisoner census, by measuring the number of prisoners at census date who have ever been in prison before their current sentence.

⁶⁶ Source: Corrections Victoria

⁶⁷ E.g. National Aboriginal and Torres Strait Islander Social Survey

Koori women are particularly badly affected. Research shows that Aboriginal women are the most victimised group in society, roughly 45 times more likely to be victims of domestic and family violence (Ferrante et al, 1996) (from Blagg, 2009).

Clearly, these levels of victimisation have terrible impacts on the Koori community. In particular, victimisation leads to high rates of psychological stress (ABS, 2010) and also contributes to increased crime rates as victims become perpetrators (Blagg, 2009).

6.4.2 Given data limitations, changes in victimisation cannot be accurately measured.

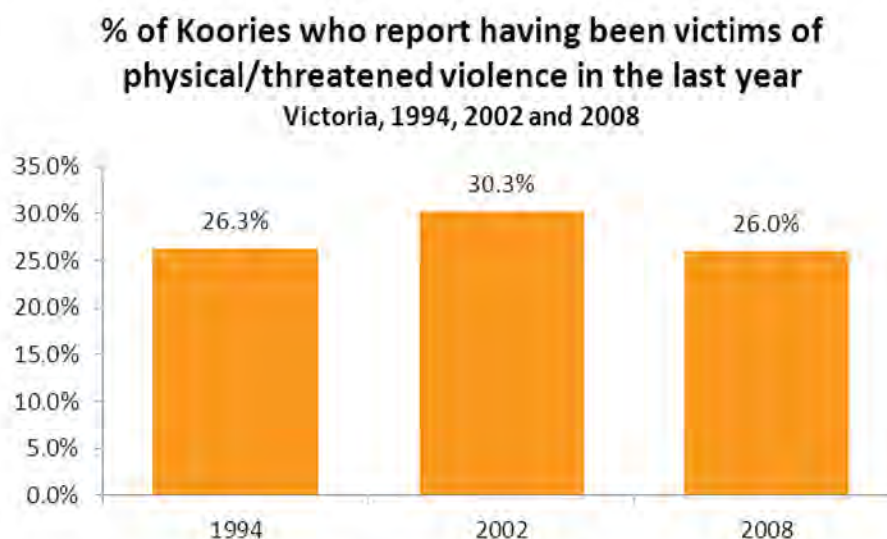
Police victimisation data is limited and considered to be inaccurate. This is because:

- Levels of reporting are low, and lower for the Koori community than the general population
- The levels of reporting are increasing, as the justice system and victim support become more responsive and inclusive to Koori needs. Therefore, an increase in victimisation reporting may show an increase in willingness to report victimisation and/or to identify as Koori when making a report. While this change is positive, it makes comparisons between time periods difficult.

This being the case, we must infer changes in victimisation from infrequent NATSISS surveys and from general crime data.

Comparing the 2002 and 2008 NATSISS findings, it seems that Koori victimisation has recently decreased. In 2002, over 30% of Koories in Victoria reported having been a victim of physical or threatened violence in the 12 months prior to the survey⁶⁸. By 2008 this had reduced to 26%⁶⁹. This is shown in Figure 18 below.

Figure 18: Proportion of Koori Victorians who report having been victims of physical or threatened violence in the prior 12 months⁷⁰



On the other hand, one inference we can make is that because every crime has a victim, and because crimes (except burglary) are more likely to be committed against a family member or someone known to

⁶⁸ Source: ABS 2004

⁶⁹ Source: ABS 2010

⁷⁰ Source: ABS 2010

the offender (ABS 2010), then we can infer that overall victim statistics have increased in line with police contact. We can also infer that because crimes have become more violent over time (refer to Section 5.2.1 above), the level of trauma for victims has increased.

6.4.3 Services for victims have improved under the AJA2.

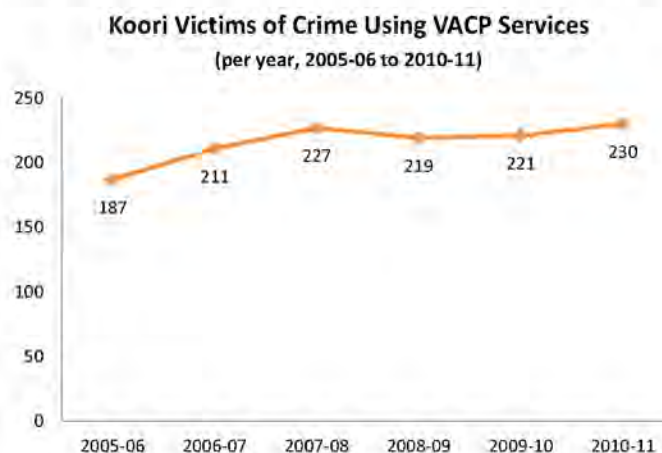
“The AJA2 raises the profile of victims and has helped drive real change in the services offered, how they are offered and the number of people they are offered to”. Service provider.

It is important to note that while no Koori-specific programs to reduce victimisation have been funded under the AJA2, many significant programs and initiatives have been influenced by the AJA2 and generated through involvement in the AJF.

The Victim’s Support Agency (VSA) is responsible for coordinating the whole of government approach to services for victims of crime and for representing the voice of victims within the criminal justice system. It is clear that the VSA have increased their responsiveness and inclusiveness to Koori needs significantly as a direct result of AJA2 intervention. For example:

- The VSA developed the Indigenous Victims of Crime Strategy 2009 – 2012, which was developed through the AJF Koori Reference Group and endorsed by the AJF, to improve awareness and effectiveness of Koori victim services
- An Aboriginal Victims of Crime Team (AVoCT) has been established to raise awareness and use of services with Koories throughout Victoria and to improve Koori service provision within VSA
- Koories can speak with an Aboriginal support worker on the Victims of Crime Helpline
- Local Victims Assistance and Counselling Program (VACP) providers are required to engage with Koori victims of crime and build more formal relationships, through the development of Memoranda of Understanding (MOU), with Aboriginal organisations. VACP agencies are also funded to develop annual Stakeholder and Community Education Plans that include key activities with local Aboriginal organisations. The Funding and Service Agreements (FASAs) entered into between the Department of Justice and VACP agencies further require VACPs to report on the number and percentage of Indigenous clients that are referred into services
- Cultural Awareness Training is now mandatory for all VSA staff.

Increased Koori use of VSA indicates some success from these initiatives, with 22% more Koories accessing VACP services in 2010-11 than in 2005-06.

Figure 19: Koori victims of crime using VACP services, per year 2005-06 to 2010-11⁷¹

In addition to the VSA, the AJA2 has delivered improved access to the Victims of Crime Assistance Tribunal via the Koori VOCAT List. In 2010 the Courts and Tribunals Unit reported that the Koori VOCAT list had reduced processing times for Koori applicants to an average of 14 months, compared to an average of 33 months before the list was established.

While government provides services which are not funded through the AJA2, it is clear from our consultations that their implementation has been influenced by the AJA2 and participation in the AJF.

There are many other Koori-specific service providers which provide essential services for victims. This includes the Aboriginal Family Violence Prevention and Legal Service (AFVPLS), Aboriginal healing services, and other programs which run in Aboriginal co-operatives and other community based organisations. Previous AJA funding bids approved by Department of Treasury and Finance (DTF) have not included funding for any victims programs. The AFVPLS is funded indirectly out of surplus AJA funding, however this funding is not recurrent. This project was developed in conjunction with police, agencies and community as a response to FV and assisted through the AJF. A range of services have been developed under the umbrella of the Indigenous Family Violence Ten Year Plan, Strong Culture, Strong Peoples, Strong Families including the development of Aboriginal Healing Services.

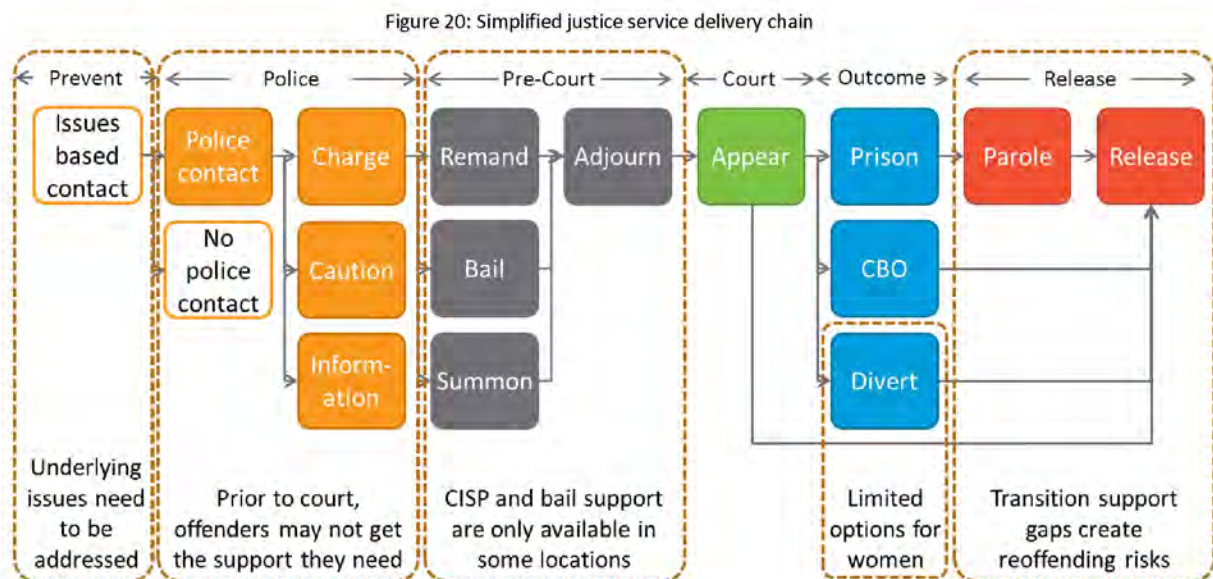
Some initiatives have been developed under the auspices of both the AJA and the 10 Year Plan including the Koori Family Violence Police Protocols Project, a partnership between Victoria Police and the Aboriginal Family Violence Prevention and Legal Service to improve responses to family violence incidents including victim support and referral. In addition there is cross membership between the Aboriginal Justice forum and the Indigenous family Violence Partnership Forum which is also replicated at the regional level with the RAJACs and the Indigenous Family Violence Regional Action groups (IFRAGS) to ensure complementary action at the regional and local level.

Our consultations showed that many benefit from their participation in RAJAC meetings, which helps them to build networks with agencies and service providers that can identify and provide assistance to victims. Some also noted the value that the RAJAC and AJF provides to victims by giving service providers a platform to advocate on behalf of Koori victims.

⁷¹ Source: VSA

7 There remain key risk points in the system that could be strengthened to reduce overrepresentation.

Within the justice service delivery chain, a number of gaps have been highlighted in our consultations and research. These are summarised in Figure 20 below.



Note: this figure is not a comprehensive mapping of services. It is used to highlight key features that are the focus of the AJA

7.1 Underlying issues need to be addressed through the whole of government approach.

"Justice outcomes are a lag indicator of at least five up-stream factors: education; housing; health; employment and drugs and alcohol. AJA does have some impact, but it struggles to get traction. A whole-of-government approach is needed". Justice stakeholder.

"We have seen positive outcomes for individuals when all the services are wrapped around the client in a holistic way, with the welfare of the individual being the unifying factor. It helps that all the players are on the ground and do talk to each other". Koori community member and justice worker.

Consultations have highlighted frustration in progress towards addressing underlying drivers of offending. The importance of these issues is discussed above in Section 5.3.4.

These need to be addressed via whole-of-government delivery against VIAF targets. Recommendations for how the AJA can navigate and contribute to the whole-of-government approach are outlined in Section 9.2 below.

7.2 Prior to court, offenders may not get the support they need.

“The ACJP do a great job, mostly, in supporting offenders. Often though this comes down to how committed these workers are. They may not be well funded or have huge resources available to them. Expenses like travel or temporary accommodation often have to be funded through community organisations or by the worker themselves. This does have a negative impact on the quality of service provided; funding hasn’t changed for years and may not be linked to the number of people they are expected to support”. Koori community member and organisation manager.

“Often the VALS representative comes to court and hasn’t met with the offender, or been briefed, how does this help the offender, will they get the best advice or support?” Koori community member.

Between initial police contact and court, efforts made by offenders by completing specific programs and demonstrating progress to address underlying issues such as drug and alcohol abuse may be taken into account at court. Offenders can also make their situation worse by committing further offences.

Between initial police contact and coming to the attention of the court, offenders may be assisted by the ACJP, VALS, the ACLO or PALO and/or the Local Justice Worker. Consultations have highlighted variability in how often and how well this assistance is provided following police contact and, where applicable, prior to court. Where assistance is provided, there is also large variability how often the assistance includes referrals to relevant programs and assistance to complete them. This requires further investigation; evaluations completed on these programs did not address the frequency or effectiveness of referrals to programs and services during this period.

Of particular concern during this period is youth, given the importance of diversion to prevent lifelong offending. Programs are in place to help youth through the justice system as outlined in Section 4.1 above, including diversion programs within Youth Justice such as the Early School Leavers and Youth Employment programs. There is no statewide program which provides systematic response to youth contact with the criminal justice system. Youth who come into contact with the justice system through Police do not systematically come to the attention of Koori Youth Justice Workers unless they are charged, or unless they are in areas where the Police Cautioning and Youth Diversion Project is in place (5 LGAs). In other areas they can slip through the cracks unless they are charged with an offence. A summary of projects by location is provided in Appendix H.

Contact with Police sends a clear signal that a young person is at risk. Therefore this is a critical period where diversionary programs can make an impact.

7.3 CISP and KIBS are only available in some locations.

Court Integrated Services Program (CISP) (a mainstream program for adults) and Koori Intensive Bail Support (KIBS) (for Koori youth) are designed to case manage defendants through the pre-court and court processes. They link defendants to support services such as drug and alcohol treatment, behaviour change programs, crisis accommodation, disability services and mental health services, thereby seeking to address the underlying causes of their offending behaviour. Two Koori Liaison Officers support the CISP program to assist Koori adults through the program.

A 2009 evaluation of the CISP found that the program had many positive outcomes, in particular reduced reoffending and improved mental health. This is clearly a worthwhile diversionary program. An evaluation of the KIBS program was also positive, although not as empirically robust.

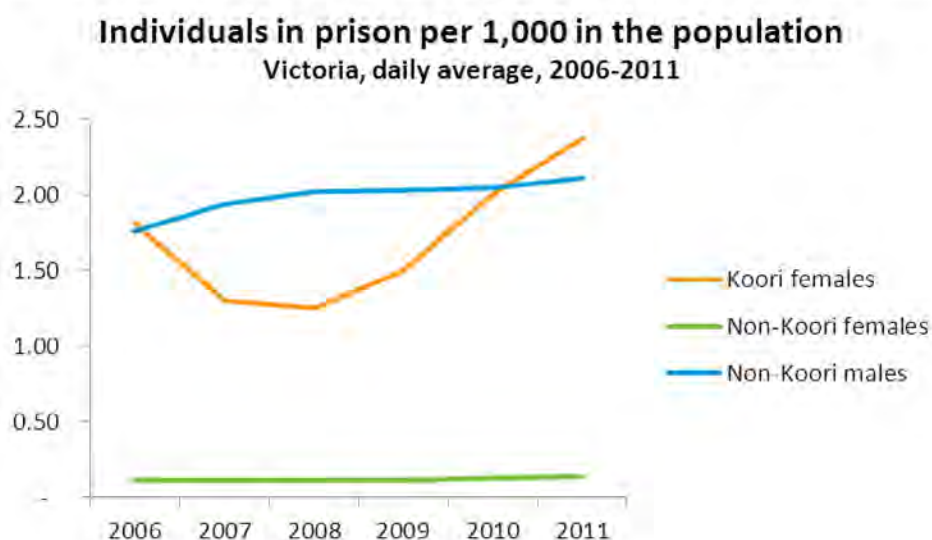
Despite these positive results, in many locations these services aren't available. There are also limited options for women. Recommendations for extending these programs are outlined in Section 9.2 below.

7.4 Limited diversion options are available for women.

While female offending is much less common than male it has a disproportionately large impact. This is because of the larger numbers of dependent family members affected by the imprisonment of each woman (particularly in the Koori context). Research also suggests that women are more deeply and permanently scarred by the experience of incarceration than men, while tending to respond more positively to community based alternatives; they are more motivated to complete community based orders, their completion rates are much higher and their outcomes better⁷². This lends support to the need for diversionary options for Koori women.

Recent growth in Koori female offending provides further support for the need for diversion programs for women. The rate of imprisonment per 1,000 Koori females now outstrips that of non-Koori males.

Figure 21: Individuals in prison per 1,000 in each respective population in Victoria, daily average 2006-2011⁷³



⁷² Blagg, H (2011) "A Review of the Literature on Aboriginal Women and Diversion" *Discussion Draft for AJF Workshop 13*

⁷³ This graph shows, for every 1,000 Koori females in Victoria, the average number that is in prison each day. This is compared to the average number of Non-Koori females who are in prison for every 1,000 non-Koori women in Victoria. We also compare to the average number of Non-Koori men who are in prison for every 1,000 non-Koori men in Victoria. Note: we haven't included the rate of imprisonment per 1,000 Koori men because it is so high that it makes the graph difficult to read. In 2011, for example, for every 1,000 Koori men in Victoria, an average of 26 was in prison each day. Source: Corrections Victoria data.

7.5 Transition support gaps create reoffending risks.

“Avoiding reoffending is about reintegration”. Justice Stakeholder.

The transition from prison back into the community is the time of highest reoffending risk. In fact, the great majority of reoffending happens within one year of release⁷⁴. Therefore, effective transition into a stable, productive life in the community is key to reducing recidivism.

The 2005 Victorian Implementation Review of the Recommendations from The Royal Commission into Aboriginal Deaths in Custody highlighted the need for extensive improvement to pre- and post-release programs. Yet significant gaps still exist.

Corrections Victoria provides pre- and post-release support through the Transition Assistance Program (TAP), Link Out – Men’s Integrated Bridging Support Program, Konnect – Koori Transitional Support Program, Women’s Integrated Support Program (WISP) and the Judy Lazarus Transition Centre. These programs are designed to enable exiting prisoners to reintegrate into the community and address issues such as drug and alcohol treatment, employment, accommodation, health and Centrelink payments.

Given the scope and approach of these programs, the largest risks to successful reintegration are transition into stable employment and housing.

Barriers to employment for exiting prisoners are large. Their criminal record, lack of skills, lack of recent work experience and often poor education pose large hurdles which may be compounded for Koori offenders. For the unemployed, lack of income, excess spare time and peer pressure can pose a large risk of slipping back into antisocial and criminal behaviour.

The transition to stable housing has also been cited as a significant gap in consultations and at the AJF. While stable employment may be the best path to stable private housing, it is critical that prisoners have a stable place to go once they exit.

A further barrier to the successful transition of prisoners back into the community comes from the fact that not all prisoners volunteer for transition assistance. Continuing efforts to engage Koories in these programs are warranted.

7.6 Consistent access to services within regions can be improved to broaden the AJA2’s impact.

Consultations have highlighted inconsistencies in access to positive justice-related services across the state, relating to:

- Geography
- Family connections
- Hours of operation.

These are discussed in more detail below.

⁷⁴ Jones et. al. (2006)

7.6.1 Availability and access to programs across regions can be improved.

“Most of the services that we need to refer Koories to are in Melbourne. That’s over six hours away”. Koori service provider.

“Post-code-justice is a real issue. The quality and type of services being offered and that are available, varies a lot. Sometimes this is about the range of services, the types of courts or the types of support, and other times it is about the quality of the justice services and the providers of these services. There must be a better way”. Koori justice stakeholder.

As highlighted in Section 4.1 above, programs have been developed to address many of the risk factors for Koori offending, incarceration and reoffending. However, these programs cannot realistically be delivered equally to every Koori offender across the state. A snapshot of where programs were in 2009–10 (and, by extension, where they are not) is shown in Appendix G. The pattern of distribution reflects decisions to allocate available resources to priority locations. Priority locations are determined by population and/or high levels of criminal justice system contact.

7.6.2 Availability and access to service levels to all families can be improved.

“There are times that some members of the community don’t like having contact with certain families. That’s a problem if that family are also providing services. You can invite people to participate, and when they do make sure that they are treated fairly. Strong leadership can help. Having alternative service providers does too but this isn’t always possible”. Koori community member and justice stakeholder.

Consultations in this evaluation and others have surfaced examples of inequity of access to AJA2 programs based on the level of family connection to key personnel such as RAJAC Chairs, RAJAC EOs and service delivery personnel.

It is important to note that this inequity may not be caused by the RAJAC Chairs, RAJAC EOs and service delivery personnel themselves; inequity may also be fuelled by unwillingness of the individual in need to deal with key personnel rather than the other way around.

Regardless of the genesis of the inequity it is incumbent upon individuals responsible for delivery of the service/ program to make efforts to ensure equal access to services to the whole Koori community.

7.6.3 Hours of operation can be a barrier to consistent service levels.

Access to the justice system (particularly through Police) can clearly happen any time of the day or night. Consultations have highlighted the lack of 24/7 Koori services as a barrier to better outcomes for Koories. This is particularly poignant for PALOs, as well as time-out and sobering-up centres. This includes mainstream and Koori-specific services.

8 The gross benefits to Victoria have been between \$22m-\$26m in 2009/10

The benefit from AJA has been estimated using a social return on investment methodology (SROI). SROI is a high level assessment of the costs and benefits associated with a program. The detailed assumptions and methodology are outlined in Appendix F.

In the 2009-10 financial year (FY10) the AJA2 delivered benefits gross benefits of between \$22m and \$26m to Victoria. These benefits accrue from avoiding:

Supporting pillar	Section
Direct tangible and intangible costs of crime	8.2.1
Cost of the criminal justice system (i.e. court costs)	8.2.2
Cost of post-sentencing (i.e. prison or supervised community based orders)	8.2.3
Forgone prisoner earnings	8.2.4
Reduction in prisoners' lifetime earnings.	8.2.5

The composition of these benefits is shown in Figure 22 below and further explanation of the benefits calculations can be found in Section 8.2 below, and further detail on the calculation methodology can be found in Appendix E.

Figure 22: Estimated benefits from Koori crime reduction, FY10 \$m

Estimated benefits delivered, FY10 (\$m)

An additional qualitative calculation was carried out which attempts to indicate the intergenerational, family and community impacts of avoided interaction with the justice system. This calculation focused on the increased likelihood of children of parents with a criminal record also having a record. Conservative assumptions suggest that 10 children of avoided offenders will now subsequently avoid having a criminal record. This part of the benefit is informed by limited and ongoing research and therefore has not been included in the quantitative calculation. It does, however, point to the family and community ripple effects that the program may be contributing to.

These benefits are likely to represent the lower bound as conservative assumptions were chosen at each stage. Further, the SROI does not account for all possible factors due to the difficulty in attributing costs to these factors. This includes:

- Wider community and societal impact of crime
- Psychological and life impacts (such as children's success at school) of having an imprisoned family member
- Costs of policing resulting from higher crime activity
- Flow-on effects of building capacity and relationships in the broader community
- Positive effects of improvements in employment outcomes through Koori employment in justice agencies and AJA2 initiatives
- Improved Koori confidence and wellbeing from community strengthening derived from place-based approaches.

It is likely that there are many other community benefits that have not been captured in the calculations further supporting the contention that they represent the lower bounds of social return.

8.1 Comparing to program cost provides estimated social return on investment.

The AJA2 program activities were allocated \$13.4 million of direct AJA2 funding in the 2009 – 2010 financial year. If this was the only funding directed towards improving Koori justice outcomes, then the social return on investment (SROI) would be between \$1.66 and \$1.93 for every \$1.00 invested. The average SROI for the last three years would be between \$1.69 and \$1.96 for every \$1.00 investment.

It is important to note that the total costs of achieving improved outcomes for Victoria's Koori population has also included a large amount of spending under various portfolios, including other justice spending, education and health. These cannot be accurately quantified and attributed to Koori justice outcomes within the scope of this evaluation, but would have a large impact on the SROI.

8.2 Further detail on how AJA2 benefits have been calculated.

8.2.1 Direct tangible and intangible costs of crime avoided

The approach taken to calculating the cost of crime avoided centred on the change in the average trend in alleged offences per 1000 members of the Indigenous population. The average rate of alleged offenders before 2006 was projected over the period 2006 onwards. The costing and assumptions used in the calculations of crime costs were derived from the Australian Institute of Criminology's⁷⁵ research in the area. This accounted for around 11% of the program's benefits.

8.2.2 Cost of the criminal justice system

The rate of distinct offenders per 1000 members of the Indigenous population prior to 2006 was projected from 2006 onwards. The difference between the projected and actual distinct offenders was subsequently scaled down by the number of offenders who simply receive a police caution. This final number of avoided offenders was then multiplied by the average cost of court finalisations. This accounted for around 0.25% of program's benefits.

8.2.3 Cost of post-sentencing; prison and community based orders

The year on year increase in the Indigenous prison population was around four percentage points higher in the period 2001 – 2005 compared with 2006 – 2010. This higher rate was projected forward with the difference between the projected and observed prison population indicating the likely number of avoided Koori prisoners. The median sentence length and cost per day of prison or supervised community based orders were applied to this likely avoided population. This accounted for around 51% of the program's benefits.

⁷⁵ Australian Institute of Criminology, 2005. *Counting the Costs of Crime in Australia*. Canberra

8.2.4 Prisoners' directly forgone earnings

The total number of system weeks avoided due the reduced representation of Koori prisoners was applied to the median Indigenous weekly wage, adjusted for likely levels of pre-prison unemployment. This accounted for around 8% of the program's benefits.

8.2.5 Impact on prisoners' lifetime earnings

Research in the area of former prisoners' earnings points to the significant challenges faced by this group in (re) entering the workforce. The challenges include lost networks, employer prejudice and a diminished skills base⁷⁶. Recent work by The Pew Charitable Trusts estimates that former prisoners face reductions of up to 40% of their lifetime earnings. The net present value of twenty years employment at a flat median wage was adjusted down by 30%, 40% and 50% to provide a range of possible SROI figures either side of the Pew estimate. This accounted for around 30% of the program's benefits.

⁷⁶ See Australian Government. *The Challenge of Prisoner Re-entry*.

http://www.crimeprevention.gov.au/agd/WWW/ncphome.nsf/Page/Publications_Intervention_for_prisoners_returning_to_the_community_a4-Post_Release_Services; Schmitt, J and K. Warner. 2011. *Ex-offenders and the labor market*. The Journal of Labor and Society 14: 87-109; The Pew Charitable Trusts. 2010. *Collateral Costs: incarceration's effect on economics mobility*. Washington.

9 The AJA2 could be further strengthened in four key ways to improve outcomes.

Nous believes that the right ingredients are there for the Agreement to deliver on the promise of its strong foundation. To further strengthen the agreement and deliver on the promise, Nous recommends action in four key areas:

Recommendations	Section
Governance and reporting to actively drive outcomes	9.1
Key risk points through the justice system	9.2
Improve consistency of service availability and access across the State	9.2.1
Understand and navigate the common goals across government	9.3

Each of these recommendations is discussed further below.

9.1 Governance and reporting can be improved to actively drive outcomes.

There are several dimensions of governance and reporting to strengthen the positive impact of the AJAs. These include:

Dimensions of governance and reporting	Section
The AJF can be more focussed, and leverage better data in decision-making	9.1.1
Strengthen targets, measurement and monitoring	9.1.2
Leverage leading practice to strengthen the RAJACs and LAJACs can be strengthened, leveraging leading practices that we observed in some RAJAC meetings and discussions	9.1.3
Reporting on individual projects to the AJF could be improved in increased transparency and accountability in reports on individual projects to AJF to enable continuous learning and improvement	9.1.4
Elements of the funding process need to be improved to enable initiatives to succeed improve funding process to enable initiatives to succeed over time.	9.1.5

This section discusses each of these recommendations in further detail.

9.1.1 More focus and improved data

Nous believes that this forum can be strengthened further to drive better outcomes. We recommend:

- Increased focus on specific strategic issues and objectives, including joint problem-solving
- Stronger focus on robust qualitative and quantitative data and evidence.

9.1.1.1 Increased focus on specific strategic issues and objectives, including joint problem-solving.

As discussed in Section 4.2.5, there is a strong desire amongst AJF members to refresh the AJF to improve its effectiveness, while retaining its central place in improving Koori justice outcomes. Potential changes to the AJF format were discussed at AJF21, as well as changes to the community forum. This discussion should be revisited.

"[The forum] needs to provide an option for discussion of issues, brainstorming on particular issues and have detailed discussions, using the shared intellect of Koori reps, experts, academia etc... We need to move to a more professional dialogue". Koori organisation stakeholder.

Our central recommendation is that the AJF should explore ways to be more collaborative, and find ways to dig deeper into issues at the AJF rather than just outside it. In Section 3.2.5 there is an analysis of the recurring themes at AJF meetings. Many members expressed a willingness to explore different approaches to resolving issues such as drug and alcohol issues, youth contact and complaints processes. Members want to tackle these entrenched issues in a positive manner, rather than discussing at each Forum.

We also recommend moving away from using the AJF to hold agencies accountable for individual incidents. There are already processes in place outside the AJF to address complaints about individual incidents, and if they are inadequate, the focus should be on improving those processes rather than using the AJF to discuss those issues. That would leave more time for dealing with more strategic issues.

Some example formats for refreshing the AJF that could be explored include:

- **Issues-based problem solving** – In our experience, with adequate preparation, data and the right people in the room, a group can understand an issue and develop robust solutions and action plans in ½ - 1 day. Each forum could select and workshop 2-3 critical issues, aligned to the objectives of the AJA2, and work together to make a significant impact on that issue
- **Subcommittees for AJA objectives** – The AJF could divide into a series of sub-committees at the forum itself, each responsible for a specific objective of the AJA. They would then develop a plan and KPIs, drive effort and report back on outcomes. The committee could work together on the first day and report back on the second. Membership of the committees could rotate between AJF members.

9.1.1.2 Stronger focus on data and evidence

Better, more targeted data and evidence can deliver:

- Better decision-making, because an issue can be understood and targeted to the root cause
- Greater transparency and accountability
- Continuous improvement, as solutions are refined and improved based on outcomes delivered.

Data quality is a long term issue in monitoring and evaluation and in decision making. Key data sets do not use consistent definitions, some data sets (e.g. Courts) do not use an ATSI identifier at all. While the data is disputed it is difficult to use the data effectively in decision making.

As discussed previously, our consultations revealed that a large quantity of information is provided to Forum members in background papers, including decision papers and information papers. However, members feel that the data is often not the data that is needed to make decisions. This needs to be improved. It is important to note that *quantity* of data is not the aim, rather the focus needs to be on data that will be required to make decisions on specific agenda items at that particular Forum. For example, raw numbers of offenders is not likely to be useful in making most decisions. Rather the types of offences and changes in trends may be more useful for making some types of decisions.

It may also be that this information is provided in decision papers but they are not read. Our consultations highlight that the volume of information is often a deterrent to reading it. This further supports the need for better quality rather than quantity.

9.1.2 Strengthen targets, measurement and monitoring

Evidence and data can and should also be used to develop realistic but challenging cascading targets for agencies and officers under the AJA, including accountability to meet those targets. This should be based on sound program logic principles aligned to the aims of the AJAs. Targets and accountability to meet those targets, including ongoing measurement, is critical because they form the basis for decision-making. They can facilitate a more rapid response when an approach isn't working, or when it is working and should be extended. They also help people to focus on things that will make the most difference in meeting the targets. Finally, they facilitate transparency into what is being delivered.

9.1.2.1 Focussed efforts to improve data collection and quality will be required

Efforts to strengthen targets, measurement and monitoring will require a concerted effort by the KJU in partnership with the key justice agencies (Victoria Police, Corrections Victoria, DHS and Courts) to improve the quality and timeliness of collected data.

Clear and common definitions of what is to be included or excluded in a reported data set are required to remove the potential for ambiguity. An example of this is the continued discrepancies between police data based on appearance and data based on the SIQ⁷⁷. However, the application of the potentially more accurate SIQ data is restricted by the large number of individuals categorised as 'unknown'. Similarly the victimisation data indicated significant under reporting, limiting the ability to draw meaningful conclusions from this data. Confidence in the process is required from all parties to ensure that conclusions are not founded on year on year variations that are driven by variability in recording procedures rather than genuine trends.

Data feeds and reporting timelines with key agencies should also be agreed to provide consistency in what is expected from them. Variations in data requests restrict the potential to refine and improve the data. A small set of headline indicators should be agreed and effort focussed on their improvement, potentially at the expense of other data that may not be as important.

Finally, fundamental gaps in data need to be addressed to enable more accurate analysis of the impact of the AJAs on Indigenous representation in the justice system. Courts data currently lacks the quality to support analysis, particularly because only Koori courts capture whether an alleged offender is Koori. This creates an analytical disjoint between the arrest and imprisonment of an individual. The lack of an

⁷⁷ The SIQ involves police officers asking every alleged offender a standard question to determine whether they identify as having Aboriginal or Torres Strait Islander heritage.

agreed set of population estimates at an LGA and regional level is another significant gap that should be addressed.

9.1.3 Strengthen RAJACs and LAJACs to improve outcomes.

“RAJAC meetings have got a bit stale in terms of format. The purpose remains valid but they need refreshing”. RAJAC attendee.

“Making sure that there are regional plans and targets that RAJACs and LAJACs are accountable for would make the committees more effective. We have to shift the focus from a report-back, to real issue identification and resolution. That will make the committees more effective”, RAJAC attendee.

As with the AJF, RAJACs and LAJACs have been critical to the success of the AJAs. They form the crucial link between the strategy of the AJF and the delivery of the strategy in the regions. As discussed in Section 2.1 of this report, they have been instrumental in developing and maintaining true partnerships between the Koori community and justice agencies in the regions.

A summary of our recommendations to strengthen the RAJACs is presented in Table 8 below:

Table 8: Recommendations to strengthen the RAJACs

Key strength of the RAJACs	Recommendations to strengthen further
<p>Planning and setting objectives</p> <p>Regional RAJAC plans are strong. They have a clear data baseline, they link to the objectives of the AJA2 and identify the specific activities that will happen in the region to meet those objectives.</p>	<ul style="list-style-type: none"> ◦ Set targets in the regional plan and ensure agencies are accountable to those targets ◦ Review progress against activities and targets at every RAJAC meeting. Agreed actions should be developed based on progress to date, and focus on future targets.
<p>Representation at RAJAC meetings</p> <p>In many cases, all key justice agencies send senior representatives to RAJAC meetings who can make decisions as required.</p>	<ul style="list-style-type: none"> ◦ In some regions the individual representatives change frequently. This indicates the need to increase buy-in within those relevant agencies so that they prioritise attendance ◦ Ensure that the agenda maximises the effective use of attendees' time. Make sure there are tight agendas, that all agenda items have a clear purpose, start on time, limit breaks, and focus discussions on actions and outcomes.
<p>Community voice</p> <p>The RAJACs provide a critical voice for the community to raise and resolve justice issues.</p>	<ul style="list-style-type: none"> ◦ Consider increasing community involvement through either a separate forum prior to RAJAC meetings, or through leveraging existing forums (e.g. LNs, IFVRAGs, LAECGs) to understand and respond to community concerns ◦ Ensure that all voices are sought and heard regardless of affiliation with RAJAC Chairs and EOs, through providing multiple opportunities for input and through outreach.
<p>Action-orientation</p> <p>Many RAJACs record and follow up on actions, which contributes to what is achieved in the meetings and, by extension, in the region.</p>	<ul style="list-style-type: none"> ◦ The most effective RAJAC meetings that we attended were energetically focussed on actions. This did not take away from information-sharing and relationship-building, it simply means that after each discussion topic, possible actions were discussed and agreed ◦ All RAJAC meetings would benefit from greater focus on delivering concrete actions, aligned to the regional plan.

9.1.4 Improve project reporting and accountability

"We need to see if the programs are working". Koori community member.

"[We can] learn from successful programs... don't have to reinvent the wheel". Feedback from AJF31.

Severe deficiencies in program reporting were highlighted in Section 4.2.6 above. As with agencies and officers (discussed above), all projects should have clear, challenging targets that are aligned to the aims of the AJAs through sound program logic. These targets should inform prioritisation of programs and form their ongoing day-to-day accountability. A strengthened Monitoring and Evaluation Framework, supported through skills training and coaching for program staff will assist in the improvement of project reporting and accountability.

9.1.5 Drive long-term change with a long-term funding process.

"I know funding is always raised as an issue; it's raised because it is. The main issue is the funding process, getting it is cumbersome and then the term is too short". Koori organisation manager.

Of all the programs funded during the AJA2, Frontline Youth Initiatives and CIP (combined) have attracted the second largest amount of funding, an average of \$1.2m per year⁷⁸. This represents a significant investment. This investment aligns with the first objective of the AJA2 – crime prevention and early intervention – and with the profile of the Koori population (almost 50% under the age of 20⁷⁹). It also aligns with the objective of strengthening community justice responses; the Frontline initiatives are conceived and led by the community.

To improve outcomes for youth and adults, the following changes to the Frontline and CIP funding processes are recommended:

Table 9: Recommended changes to the Frontline and CIP funding processes

Challenge with the funding process	Recommendation
<p>Overlaps and misalignment</p> <p>In each region, there are many programs for Koories, especially youth, funded and delivered by many different organisations and government departments. Overlaps and misalignment of these programs is a barrier to efficiency and effectiveness.</p>	<p>Facilitated by the Regional Directors and RAJAC EOs, funding applications should include identification of other programs targeting youth and adults in the region and a plan for addressing any overlaps and misalignment.</p>
<p>Funding duration</p> <p>The need for funding blocks of 2-3 years minimum is cited frequently in the literature (e.g. Jones et.al.) and in consultations. This allows long-term planning for long-term outcomes.</p>	<p>Increase funding duration for Frontline and CIP projects.</p>
<p>Funding accountability</p> <p>As discussed in Section 6.1.3, accountability for project performance needs to be improved. This will become even</p>	<p>Ensure more robust and relevant monitoring and reporting of program outcomes as a condition of funding continuation.</p>

⁷⁸ Source: Koori Justice Unit

⁷⁹ ABS, 2006 Census

Challenge with the funding process**Recommendation**

more important if funding duration is increased.

9.2 Address key risk points in the justice system.

Key risk points were discussed in Section 7 above. Recommendations to address the five major risk points are presented in the table below.

Table 10: Recommendations to address key risk points

Risk point	Recommendation
Prior to contact	Support the goals of VIAF to address underlying issues within the justice system. Recommendations for how this might be achieved are found in Section 9.3 below.
Prior to court	Strengthen support for alleged offenders prior to court, particularly for youth, to reduce reoffending risk and address underlying causes of the crime. This should include improving referrals from Police and VALS into services that will help to address underlying issues.
Bail support	While a strong investment case needs to be mounted, it appears from the findings highlighted in Section 7.3 that CISP and KIBS may be highly effective at diverting Koories from more serious contact with the justice system, and expansion should be considered, perhaps at the expense of programs that have not shown such clear results. Cunneen and Allison (2009) also recommend adapting CISP to Koori needs to improve outcomes for Koories.
Diversion options for women	Blagg (2010), following extensive research, recommends <i>"...a residential 'healing centre', or centres, as well as a network of community owned non-residential healing places. The key difference between the Aboriginal women's centre and other models is that the centre should be open to women with a range of personal issues rather than just offenders and offer a 'therapeutic' environment rather than focus solely on narrowly criminogenic issues, important though those are"</i> . Blagg, 2010 ⁸⁰ . Our research as highlighted in Section 7.4 supports this view.
Transition support	Launch a joint taskforce on transition support between the Department of Justice, the Office of Housing and the Department of Business and Innovation, mainly focussed on improving employment and housing outcomes. Programs such as the Prisoner Employment Program (PEP) in Western Australia and Queensland may provide effective models for improving Koori (and non-Koori) employment outcomes post-release. Rather than waiting until an offender has re-entered the community and applied for unemployment before helping them get a job, these programs connect employers with prisoners before they exit and provide pre-release training aligned to those jobs. There is some evidence that the WA model has reduced recidivism from 40% to 13% ⁸¹ .

Table 11: Recommendations to address key risk points

Recommendations to improve consistency of service levels are outlined below.

⁸⁰ Blagg, H (2010) "Aboriginal Women and Justice: The Case for Diversion into Healing", Prepared for the Koori Justice Unit, Department of Justice, Victoria

⁸¹ Papalia, P (2010) "Justice Reinvestment – an option for Western Australia?"

9.2.1 Consistency of access to services across regions and locations.

The experience of Loddon Mallee and Gippsland as demonstrated in Section 5.1 above highlights that investments can deliver tangible improvements in the local geographic area. Therefore, in areas where critical support is not provided, and where no investment case can be made for establishing Koori-specific services, it is recommended that:

- Justice agencies link Koories to services in adjacent areas where possible. This may be through transport assistance (transport has been consistently cited as a barrier to access for Koories). Where appropriate, access may also be facilitated through ‘traveling’ services like the justice bus. In Canada, for example, circle sentencing courts like the Koori Courts have been adapted to be portable enough to take to remote communities⁸². Similar approaches may be considered in Victoria
- Mainstream providers of similar services (where they exist) are engaged by justice agencies and provided with Indigenous Cultural Awareness Training, as well as ongoing mentoring and coaching from Koories where possible. The State Government Aboriginal Inclusion Matrix may assist in improving access to these services for Koories, as will the effective implementation and delivery of Koori Inclusion Action Plans under the VIAF.

It is important to note that this recommendation does not mean a change to the place-based approach. Regional variations to the methods of service delivery and local priorities are critical, given the differences between Koori communities and their needs. However, the aim should be for all Koories in Victoria to be able to access critical services aligned to their needs.

9.2.2 Consistency of service levels across families.

It is recommended that much stronger emphasis on outreach and access is built into project planning, to assist in improving the access to essential services for all Koori Victorians. We recommend:

- In the planning stage of all programs, strategies are developed to broaden access to these programs across the local Koori population
- Outreach into the broader community is built into all planning and activities, including actions to increase referrals from other services
- Access to services at a local level is monitored wherever feasible, including identifying any members of the community who are not accessing services and investigating why. This may involve:
 - Independent surveys of offenders and others
 - Working with non-justice agencies to identify Koories in need (within the constraints of privacy laws) and monitoring their access to services
 - Periodic independent evaluation of access
- RAJAC EOs and Chairs reach out to the community to identify any sections of the community who are not accessing positive justice related services.

⁸² Blagg, H (2005) “Background paper on a new way of doing justice business? Community Justice Mechanisms and Sustainable Governance in Western Australia” Law Reform Commission of Western Australia, background paper no 8.

9.2.3 Extend hours of access, particularly for PALOs.

The AJA can draw on existing examples to improve hours of operation. DHS has implemented a Central After Hours Assessment & Bail Placement Service (CAHABP) in response to the large numbers of children remanded in custody after hours (Cunneen & Allison, 2009). Swan Hill has four PALOs to improve the likelihood that they will be available at the point of first contact further to improve the consistency of responsive and inclusive services within police stations. There may be a risk that having more PALOs hinders the ability for each PALO to build and maintain good relationships with the Koori community. This has not been the experience in Swan Hill and it is recommended that the model be replicated in areas of high demand.

9.3 Understand and work to the common goals across Government to improve efficiency and outcomes.

While the fundamental link between reducing Indigenous overrepresentation in the criminal justice system and addressing underlying contributory factors (such as low employment rates, alcohol and drug misuse, poor health, and poor educational attainment within Indigenous communities) is acknowledged in all IJAs [Indigenous Justice Agreements], it is those IJAs that manage to maintain a specific focus upon justice issues that appear more likely to deliver genuinely positive justice outcomes to Indigenous people... While the essential link between justice and broader socio-economic factors must be understood, firm lines need to be drawn between planning areas if Indigenous justice is to maintain its status as an important issue in its own right. (Cunneen & Allison, 2010).

The underlying issues of Koori overrepresentation were discussed in Section 5.3.4. While the importance of these underlying issues cannot be overstated, the Victorian Government has been actively addressing these issues. Departments such as DEECD, DoH, DPCD and others have clear Koori-specific strategies and have developed and funded numerous Koori-specific and mainstream programs that can be expected to make a significant impact on the underlying causes of justice contact.

The Victorian Indigenous Affairs Framework (VIAF) aims to align and improve these services and provide a comprehensive whole-of-Victorian-government strategy for improving outcomes for Koories. While the gap is far from being closed, the key challenge for Justice is to identify and navigate these common goals across government. This is important at three levels:

1. At the departmental level, including the AJF
2. At the region level
3. At the individual level, to assist Koories to navigate the complex service landscape.

These are discussed further below.

9.3.1 At the departmental level, justice agencies and the AJF need to understand and navigate these common goals.

The AJAs are likely to continue to be the primary mechanism for improving Koori justice outcomes, which is one of the six VIAF Strategic Areas for Action. While truly closing the gap between Koori and non-Koori justice outcomes will require successfully achieving all of the other five Strategic Areas for

Action, justice agencies are not best placed to deliver improvements in health, education, economic development and overall capacity. There are, however, clear areas of intersection. These include:

- Housing
- Youth at risk of contact with the justice system
- Health, wellbeing and education of Koories in all parts of the justice system (including drug and alcohol services)
- Transition from the justice system back into the community
- Family violence and victim support
- Capacity building for Koories who are delivering justice-related programs and specific AJA initiatives
- Cultural strength and safety.

The AJF needs to determine the most efficient and effective mechanism for managing these intersections, to minimise gaps and overlaps and improve Koori justice outcomes. This may be through establishing working groups outside of the AJF, through attending meetings that other Departments host or through targeted attendance at the AJF. Appointing a few current AJF members as liaison points may also be an effective way to coordinate.

9.3.2 At the regional level the interaction between departments need to be understood and navigated.

The regions are the operational delivery arm for the AJA2 and other departmental strategies. In the regions we see large potential for efficiency and effectiveness benefits of coordination. Conversely, at the region level there may be the highest risk of overlapping or conflicting agendas leading to sub-optimal outcomes for the Koori community.

This coordination may happen differently in each region, but should include:

- Periodically comparing plans and programs to identify and resolve gaps and overlaps
- Identifying specific initiatives that require further coordination, and agreeing mechanisms to do that effectively.

In some regions this is already taking place. Regional Directors from various Departments meet and compare their strategic and operational plans and resolve areas of overlap, gaps and opportunities for coordination. Some ideas for how this can be done are shown below:

“Regional management forums [should] have Indigenous issues as a standing item on the agenda [and] regular input/consultation with Chairs of respective Koori groups in the area, e.g. RAJAC Chair, LAECG Chair, IVFRAG, Community orgs”. Feedback given at AIF31.

“There should be a regular interdepartmental meeting between Regional Directors to focus on Koori issues in the region”. Koori staff member.

This may be difficult to drive through the justice portfolio alone, but efforts should be made to facilitate this type of activity.

The responsibility for this does not lie solely with the Regional Directors. One of the responsibilities of the RAJAC EOs is to “In partnership promote and participate in cross agency and cross sectoral forums

and initiatives to address Indigenous disadvantage⁸³, and RAJAC Chairs often sit on multiple forums which can help to navigate the common goals for Koories in the region. For youth justice workers, a Regional Engagement Strategy has been developed to further improve connections within regions.

Greater targeted coordination at the region level can improve Koori outcomes and reduce duplication while maintaining focus within the portfolios.

9.3.3 At the individual level, services must be made simpler to deliver better outcomes.

“We took a look and found that a Koori is unemployed, has a mental health issue and justice issues, he has something like 17 separate services available in town. How is he supposed to know what to do?” Koori service provider.

“We are a small community, and services are limited. Just knowing what services are available and how we can access them is also difficult. The LAJAC might help in time but right now it’s tough”. Koori community member.

Koories in all stages of the justice system (including men, women and children, offenders and victims) face a complex and confusing web of services to address their various needs, whether those needs be for employment or welfare, housing, child support, physical and mental health, substance abuse programs, cultural programs, parenting assistance... the list is long. This web of services is difficult for justice agencies to navigate, let alone an individual in need.

Various case management approaches are in place to ensure that individuals are able to understand and access the services that they need throughout their journey through the justice system. CISP, family violence models and Youth Justice Workers are examples. While the design of an appropriate and cost-effective case management process is outside the scope of this evaluation, at each point of the justice system it may be beneficial to extend existing case management models to enable better access to existing services, rather than necessarily adding to the service pool in the area. This may include services for offenders and victims.

“Case management should be culturally sensitive, holistic, person centred practices. This will allow a needs assessment view of the individual person, family and community needs and supports focus”. Feedback at AJF31.

“Recognise and value the holistic approach to case management that Koori workers will bring”. Feedback at AJF31.

In addition, consolidated online lists of local services would benefit Koories in need, particularly youth. Various models are possible, but a user-generated model would lead to lower-cost, more relevant content that is more likely to be used. Victoria Police has a referral database that may be helpful in this effort. An online list would benefit local service providers, RAJACs, Magistrates, Police and others.

⁸³ Framework of Operations for the Regional Aboriginal Justice Advisory and Local Aboriginal Justice Action Committee Networks, last updated 16 December 2009

10 Overall we strongly recommend AJA3.

Our overall conclusion is to recommend that the Victorian Koori community and the Victorian Government sign a third Aboriginal Justice Agreement (AJA3). The overrepresentation of Koories in the justice system is complex and multi-generational. To reduce overrepresentation the current level of commitment and focus at a minimum must continue to realise the full benefit of the investment that has already been made and to achieve increased benefit over the next period.

The conclusion is based on the findings detailed throughout this report.

- The partnership between Koori community and Justice Agencies sets a strong foundation for current achievements and future initiatives:
 - The partnership is strong and can develop further. The partnership is a critical foundation for current and future success
 - The structure centrally and locally builds strong networks for achieving outcomes
- Where there has been a clear focus and investment of resources, there has been a reduction in overrepresentation:
 - Koori adult overrepresentation in prison has reduced in non-metropolitan regions
 - Youth contact with police is beginning to reduce
 - Re-offending rates have been impacted
- The projections for overrepresentation without intervention indicate a high likelihood of increased overrepresentation
- The SROI indicates the benefits that accrue from the AJA investment, alongside all justice investment, contributes to a substantial financial return as well as social returns for the current and future generations
- Across government, focus on underlying issues strengthens the work of Justice agencies and the Koori community to focus on overrepresentation at all points of the justice system.

Appendix A Summary of findings against AJA2 indicators

Table 12: Appendix A Summary of findings against AJA2 indicators

Strategic objective	Intermediate indicator	Finding	Reference
<p>Overall</p> <p>Reduce Koori overrepresentation in the justice system.</p>	Rate of Koories in prison.	<ul style="list-style-type: none"> Non-metro regions have seen a reduction in overrepresentation in prison; in some cases >25% Metro regions have worsened or stayed the same⁸⁴ Overall overrepresentation has worsened, but by less than would have been expected without the AJA2⁸⁵ Victoria continues to have lower levels of overrepresentation in the justice system than most other Australian States and Territories⁸⁶ More can be done in all regions across Victoria. 	Section 5
<p>Crime prevention and early intervention</p> <p>Reduce the number of Koori youth coming in contact with the criminal justice system by promoting protective factors and reducing risk factors for offending behaviour.</p>	Number of times Koori youth are processed by police (arrest + summons + caution).	<ul style="list-style-type: none"> Youth contact with police per 1,000 Koori youth has reduced significantly since 2002 for Koories under 17 years old⁸⁷ Given that we are evaluating the AJA2, it is important to note that Contact with police for youth under 17 years old has reduced overall since 2002, although there have been some variations in individual years 18-20 year olds have seen increased police contact Cautioning rates for Koories under 18 years old has remained relatively flat (34.3% in 2005 to 33.7% in 2011)⁸⁸ Cautioning rates for Koories 18-19 years old has been highly variable; no clear trend has emerged. 	Section 6.1
<p>Diversion/alternatives to imprisonment</p> <p>Increase the rate at which justice agencies divert Koories from more serious contact with the criminal justice system and strengthen community-based alternatives to imprisonment.</p>	Proportion of Koories cautioned when processed by police	<ul style="list-style-type: none"> The proportion of Koories cautioned when processed by police has remained flat through the AJA2⁸⁹. 	Section 6.2.1
	Proportion of Koories remanded in custody	<ul style="list-style-type: none"> Koori overrepresentation in remand has decreased slightly. In 2006, Koories were 15.13 times more likely to be on remand than non-Koories. In 2011 they were 13.39 times more likely to be on remand⁹⁰ However, the number of Koories on remand per 1,000 Koori Victorians has increased from 2.4 in 2005 to 2.7 in 2011. This shows that Koories are more likely to be on remand than they 	

⁸⁴ Source: Corrections Victoria data⁸⁵ Source: ABS⁸⁶ Source: ABS⁸⁷ Source: Victoria Police data⁸⁸ Source: Victoria Police data⁸⁹ Source: Victoria Police data⁹⁰ Source: Corrections Victoria data

Strategic objective	Intermediate indicator	Finding	Reference
		were in 2005, but the rate of overrepresentation has decreased because non-Koori remand has increased at a faster rate ⁹¹ .	
	Proportion of Koories in maximum security prisons	<ul style="list-style-type: none"> ◦ Koories are now slightly more likely to be in maximum security prisons than they were in 2006, from 28.7% of Koori prisoners housed in maximum security in 2006 to 30.5% in 2011 ◦ However, the proportion of Koori inmates who are in minimum security has also increased, from 8.2% in 2006 to 15.8% in 2011 ◦ The proportion of Koori inmates in medium security has therefore decreased⁹² ◦ The offences that lead to imprisonment seem to have become more serious, which would explain the increase in maximum security imprisonment. 	Section 6.2.3
	Proportion of Koories sentenced to prison/ youth detention rather than other orders	<ul style="list-style-type: none"> ◦ Youth are now less likely to be sentenced to youth detention compared to other orders than they were when the AJA2 was signed (7.5% sentenced to youth detention in 2006 compared to 6.1% in 2011, up from 3.4% in 2009 and 2010)⁹³. 	Section 6.1.1
	Proportion of Koori prisoners released on parole	<ul style="list-style-type: none"> ◦ The proportion of Koori prisoners released on parole has remained flat through the AJA2. In 2006, 33.6% of Koori prisoners were released on parole. In 2011 33.3% were paroled⁹⁴. 	
Reduce re-offending Reduce the rate at which Koories re-offend by changing environmental and behavioural factors that contribute to that offending.	Proportion of Koori adults who return to prison within two years	<ul style="list-style-type: none"> ◦ The proportion of Koori adults who return to prison within 2 years has reduced from a high of 56.5% in 2005-06 to 45.0% in 2009-10 ◦ The proportion of non-Koori adults who return to prison within 2 years has also reduced over the period, but by a smaller margin. In 2005-06 it was 35.3%, and in 2009-10 it was 32.6%⁹⁵. 	Section 0
	Proportion of Koori youth who return to youth detention within two years	Unable to perform analysis due to data unavailability.	
	Proportion of Koori adults	We were unable to access this data requested from Corrections Victoria.	

⁹¹ Source: Corrections Victoria data, ABS population data⁹² Source: Corrections Victoria data⁹³ Source: DHS data. Note: data is counted for 'episodes of sentence' not distinct individuals.⁹⁴ Source: Corrections Victoria data⁹⁵ Source: Corrections Victoria presentation at the AJF in Q2 2011

Strategic objective	Intermediate indicator	Finding	Reference
	convicted within two years of their previous conviction		
	Proportion of Koori youth convicted within two years of their previous conviction	As above.	
<p>Responsive and inclusive services</p> <p>Make mainstream justice-related services more responsive and inclusive of the needs of the Koori community.</p>	Proportion of people accessing positive criminal justice system-related services who are Koori	<ul style="list-style-type: none"> Consultations highlighted that a much larger proportion of Koories are accessing positive criminal justice system-related services than they were before the AJA2 A survey of AJA2 service delivery organisations revealed that over 4,000 Koories accessed the services delivered by the 50 programs that responded to the survey. Note this will understate the number of Koories accessing positive justice-related services due to low survey response rates. There may be double-counting in the 4,000 Koories if Koories have accessed multiple services. 	Section 4.3
	Number of Koories employed in criminal justice system-related agencies	<ul style="list-style-type: none"> The Department of Justice as a whole currently has 132 Koori staff (as at November 2011), which comprises 1.5% of its workforce, in both Koori-specific and mainstream roles. It is now pursuing a goal of 2.5% Koori employment⁹⁶. 	
<p>Reducing victimisation</p> <p>Reduce the negative impact that high rates of victimisation has on Koori communities, families and individuals so that intergenerational contributors to offending are reduced.</p>	Number of Koories on intervention orders	We were not able to access this data. We note that changes in the rates of intervention orders may not indicate a change in underlying rates of victimisation; rather they may indicate a change in the propensity of victims to seek help from police.	
	Number of Koories convicted for violent offences against persons	<ul style="list-style-type: none"> The breakdown of police contact for alleged 'person', 'property', 'drugs' and 'other' offences has been fairly flat between 2005 and 2011, with a slight increase in 'person' and 'other' and a decrease in 'property' Anecdotally, the seriousness of crimes against the person has increased. However we have been unable to verify these claims (offence categories do not clearly indicate seriousness. E.g. 'Assault' could be very serious or relatively minor). 	Section 6.2.3
	Number of Koories who are victims	<ul style="list-style-type: none"> Data on victimisation is subject to error because rates of reporting are low and vary year to year. Therefore police data on victimisation, including by offence category, are unreliable 	Section 6.4

⁹⁶ Source: Koori justice unit

Strategic objective	Intermediate indicator	Finding	Reference
	of crime (by offence category)	<ul style="list-style-type: none"> NATSISS data indicates that overall victimisation fell between 2002 and 2008 by around 4% However, we could infer that because offending has increased, and because crimes (except burglary) are most likely to be committed against a person's own family, it is likely that underlying victimisation has increased. 	
Strengthening community justice responses Build capacity in and strengthen Koori communities so they are better able to improve their justice outcomes, particularly through the delivery of place-based initiatives.	Number of Koori volunteers involved in programs	<ul style="list-style-type: none"> A survey of AJA2 service delivery organisations revealed that 23 Koories volunteered under the 50 programs that responded to the survey. Note this will understate the number of Koori volunteers' services due to low survey response rates. Also, the more a program relies on volunteers, the less likely they are to complete the survey due to resource constraints. 	
	Number of community initiated and implemented programs	<ul style="list-style-type: none"> Consultations revealed that most programs had been initiated by the Koori community, many through the AJF The Koori community has been heavily involved in the design and implementation of all programs under the AJA2. 	Section 4.4
	Number of Koori organisations delivering programs	<ul style="list-style-type: none"> Frontline and Community Initiatives Programs must be auspiced by Koori organisations and have attracted 10% of total AJA funding Many more initiatives have been delivered or supported locally by Koori organisations. This includes the KOSMP, LJWPs, ACIPs, Koori Night Patrol and Koori Youth Justice Workers, to name just a few. 	Section 4.4

Appendix B Summary of findings against key evaluation questions

Table 13: Summary of findings against key evaluation questions

Evaluation question	Findings	Reference for more detail
1. To what extent has the aims of the AJA2 been met?	All have been partially met, but there is more to do. A summary of progress is included in the Executive Summary of this evaluation.	Section 2
2. To what extent have the strategic objectives of the AJA2 been met?	See above.	Section 2
3. To what extent has the AJA2 contributed to improved community safety and perceptions of community safety?	Actual community safety has reduced over the life of the AJA2, because offending rates have increased. However, our analysis shows that this would have been worse without the AJA2. Perceptions of safety varied amongst the communities and individuals we consulted. Some noted large improvements, while others noted escalating violence.	Sections 5.2, 5.3 and 6.4
4. How has the AJA2 improved positive contact with the criminal justice system and increased access to, and use of justice related programs? What evidence exists to support this?	Positive contact with the criminal justice system has improved significantly as the justice system has become much more responsive and inclusive of Koori needs. However, the level of improvement has varied significantly across and within regions.	Sections 4.3.3 and 4.3.4
5. What are the key strengths and weaknesses of the AJA2?	Key strengths include: <ul style="list-style-type: none"> ◦ The programs delivered are broadly consistent with local and international research on how to achieve better Koori justice outcomes ◦ A strong and enduring partnership has been built between justice agencies and the Koori community ◦ The justice system is now significantly more responsive and inclusive of Koori needs. This advances the basic human right of equal access to justice for all Victorians ◦ A large amount of progress has also been made in strengthening community justice responses as part of a place-based approach that empowers the local community. Key weaknesses include: <ul style="list-style-type: none"> ◦ Governance and reporting ◦ Several gaps in service across the justice system ◦ The consistency of service levels across and within regions ◦ The coordination with non-justice agencies at the AJF and local levels. The evaluators strongly believe that justice agencies should primarily focus on justice issues, but there are several key areas where 	Sections 3, 9.1, 7 and 9.2.1

Evaluation question	Findings	Reference for more detail
	coordination is required to improve justice outcomes.	
6. Are there alternative approaches/objectives that exist which will assist to improve justice outcomes for Koories?	Given the complex and intergenerational issues that contribute to Koori overrepresentation in the justice system, sustainability over time is critical. The AJA2 is also beginning to deliver improved outcomes for Koories in Victoria. Therefore the evaluators recommend enhancement to the existing approach rather than an alternative approach. Our recommendations are clearly outlined in the report.	Sections 4.2.4, 5, 6.1, 0, 10
7. Is there evidence of the AJA2 having intergenerational impacts?	No clear trends have emerged in overrepresentation of Koori youth in youth detention. However, youth contact with police is reducing for Koories under 17years old, signifying intergenerational impacts of the AJA2.	Sections 5.3.1 and 6.1
8. Through the implementation of AJA2, what has been learnt about how to achieve and sustain better outcomes for Koories?	<p>Quantitative analysis comparing specific initiatives to outcomes in different LGAs and regions did not shed light on what works and what doesn't. This is due to small sample sizes and the fact that initiatives have been targeted at LGAs with greatest need, so they are not comparable to other LGAs.</p> <p>Qualitatively, lessons learned from the AJA2 implementation align to other research in improving outcomes for Indigenous populations. In particular:</p> <ul style="list-style-type: none"> ◦ The importance of community involvement was highlighted in almost all consultations as a critical success factor for programs ◦ Having people delivering initiatives who are appropriately skilled and motivated makes an enormous difference to the ultimate success of the program ◦ The need for funding periods that reflect the long-term nature of the issues being addressed to sustain improvements. 	Sections 3 and 9.1.54.4.2
9. What are the unintended impacts of the AJA2?	<p>The AJA2 intended to have broad impacts, including:</p> <ul style="list-style-type: none"> ◦ Building partnerships between justice agencies and the Koori community ◦ Building capacity amongst the Koori community to improve justice outcomes. <p>The report outlines significant progress in these areas, which in turn have positive flow-on effects, including:</p> <ul style="list-style-type: none"> ◦ More efficient implementation for all initiatives in the region (including non-justice initiatives) ◦ Increased Koori employment ◦ Community strength and empowerment <p>These are discussed in more detail in the report.</p>	Sections 4.2, 4.3, 4.4 and 8.1
10. How efficient and how effective are the governance structures of AJA2? What are the key strengths and weaknesses?	Governance structures have been effective but can further improve. This is covered in detail in the report.	Section 9.1
11. What improvements could be made to the AJA2 partnership?	The AJA2 partnership is very strong, which in turn has been a key strength of the AJA2. Improvements in governance and accountability could further improve the partnership, as detailed in our report.	Sections 4.2 and 9.1

Evaluation question	Findings	Reference for more detail
12. To what extent have the government agencies involved met their commitments to AJA2?	<p>All justice agencies have made progress towards improving Koori justice outcomes. It is difficult to measure the individual contribution of each agency due to:</p> <ul style="list-style-type: none"> ◦ Large deficiencies in program reporting, which mean that the full financial and operational commitment of each agency is impossible to determine, as is the outcome from each agency ◦ The interrelated nature of the issues contributing to Koori justice outcomes, making cause and effect difficult to establish. <p>What is clear is that all agencies have improved, and all have much more to do to improve Koori justice outcomes.</p>	Sections 4.3.3 and 9.1.4
13. To what extent does the AJF improve accountability, community participation and the progression of justice policies and initiatives?	The large contribution that the AJF has made to the progression of justice policies and initiatives in general, and to accountability and community participation, is detailed in our report. In fact, very few of the improvements outlined in this report could have been delivered, let alone sustained, without the AJF.	Sections 4.2 and 9.1.1
14. To what extent do the RAJAC and LAJAC structures influence inclusion, engagement and decision making at local and regional levels?	The strengths and opportunities related to the RAJAC and LAJAC structures are outlined in our report.	Section 9.1.3
15. To what extent has the place-based approach been successful?	<p>The place-based approach seems to have been successful in most cases, where regions with larger AJA2 funding have seen larger improvements in outcomes.</p> <p>The exception is in the Northern Metropolitan region. Despite getting 20% of total AJA2 funding, Koori overrepresentation in prison in the region has increased by 36%. This indicates that the place-based approach in the Northern Metropolitan region isn't working.</p>	Sections 5.2 and 4.3.4
16. To what extent has capacity been built and communities strengthened?	Progress towards capacity building and community strengthening is discussed in the report.	Section 4.4
17. To what extent do cultural/community components of initiatives strengthen efficacy of interventions at a local level?	<p>Consultations overwhelmingly stated that cultural and community components of initiatives are essential for their effectiveness in the Koori community. A large amount of research also supports this view⁹⁷.</p> <p>There were some exceptions noted in our consultations:</p> <ul style="list-style-type: none"> ◦ Consultations with Koori youth revealed that many prefer to access mainstream services because of the anonymity that provides. Some adult community members also expressed this preference ◦ Consultations also revealed the need to prioritise service quality over cultural efficacy. Some community members stated that if they considered Koori-specific and local initiatives to be of lower quality than equivalent mainstream services then they prefer to sacrifice the cultural and community elements of the service. 	

⁹⁷ E.g. Jones et. al (2006), Cunneen (2010).

Evaluation question	Findings	Reference for more detail
18. What has assisted/hindered the effectiveness of interventions located in the same place?	<p>As discussed above, the key success factors noted in consultations include:</p> <ul style="list-style-type: none"> ◦ Community involvement ◦ Skilled and motivated individuals delivering the program ◦ Continuity of funding. <p>These findings were overwhelming; they were mentioned by almost everyone consulted in regional consultations.</p>	Sections 4.3.4 and 9.1.5
19. Are there particular demographic groups, or communities, for which the AJA2 has been most effective?	<p>The biggest improvements were seen in:</p> <ul style="list-style-type: none"> ◦ Non-metropolitan regions, especially Loddon Mallee and Gippsland ◦ Youth under 18. <p>The AJA2 has not been as effective for:</p> <ul style="list-style-type: none"> ◦ Metropolitan regions, especially the Northern Metropolitan region ◦ Women. 	Sections 5, 6.1 and 7.4
20. Which are these, and what are influencing factors?	<p>See above for which these are.</p> <p>The largest influencing factor statistically was the use of CBOs, which explained 25% of changes in Koori overrepresentation in prison. Other influencing factors include:</p> <p>For the Northern Metropolitan region, we could not find any other statistically significant factors, but note that:</p> <ul style="list-style-type: none"> ◦ The increase in arrests crimes against the person since 2005 may have been largest in the metro regions (and Barwon South West), although this is quite variable year on year so this isn't a very robust finding ◦ Northern Metro has had the largest increase in arrests for drug related crime, although Loddon Mallee has also seen a large increase in arrests for drugs ◦ People may visit the city to have a bit of fun, commit crimes and list their address as where they are staying in the city ◦ There are more prisons in the metro regions and crime tends to congregate around prisons ◦ Research shows that a more cohesive Koori community has a really positive effect on crime rates, but that that is more difficult to build in cities ◦ It can be more difficult for some people to feel a strong connection to country in an urban setting. <p>For women, it is clear that the influencing factor for lack of effectiveness in reducing female contact with the justice system is lack of resources and focus.</p>	Section 5.2.1
21. Have there been any additional intended/unintended impacts of the place-based approach?	All significant impacts are discussed in the report.	
22. What would the cost to government/community have been if AJA2 were not implemented?	The estimated cost to government/community is included in the report.	Section 8

Evaluation question	Findings	Reference for more detail
23. Is the AJA2 sufficiently resourced to achieve its objectives?	<p>More resources could improve outcomes, particularly in addressing the gaps outlined in our report.</p> <p>In addition, better leveraging existing resources could improve outcomes. In particular, better coordination across government departments at a central and local level can reduce inefficiencies and overlaps. Better governance can also reduce inefficiency. These points are further discussed in our report.</p>	Sections 9.1, 9.2 and 9.3
24. How effectively have resources been used? Are outcomes appropriate given their cost and timeliness?	<p>A large proportion of the resources involved in delivering the initiatives of the AJA2 are volunteers. Our survey showed that ~15% of resources (including full-time and part-time) were volunteers, and we believe this is significantly understated because response rates were lower for community programs than government programs.</p> <p>As discussed in the report, the efficient use of resources could be improved by:</p> <ul style="list-style-type: none"> ◦ Making the AJF and RAJAC meetings more efficient and effective ◦ Better coordinating across government (in a targeted way) ◦ Improving project governance and reporting, so that successful initiatives can be identified and leveraged across the state and unsuccessful initiatives can be changed or stopped. 	Sections 9.1 and 9.3
25. How could existing AJA2 funding be used to increase the sustainability of initiatives over time?	<p>Sustainability can be improved by:</p> <ul style="list-style-type: none"> ◦ Improving funding sustainability (with appropriate governance) ◦ Better project governance and reporting to ensure that successful initiatives are identified and continued ◦ Better coordination across government so that services are 'joined up' for each individual. 	Sections 9.1 and 9.3

Appendix C Stakeholder overview

C.1 AJF, RAJAC and LAJAC membership

AJF (Aboriginal Justice Forum)

The AJF is made up of the most senior representatives of the justice portfolio, state government and the Koori community and is serviced by the KJU in the DoJ. The AJF meets three to four times per year to oversee the implementation of the AJA and to consider issues of a justice and related nature impacting on the Koori community.

RAJAC (Regional Aboriginal Justice Advisory Committee)

Nine Regional Aboriginal Justice Advisory Committees (RAJACs) have been established throughout Victoria, each of which is serviced by a full-time Executive Officer who manages the day-to-day activities and planning requirements for the committee and reports to the Regional Director. Regional Aboriginal Justice Advisory Committees (RAJACs) have been operating since 2001, and was established as part of recommendation two of the final report of The Royal Commission into Aboriginal Deaths in Custody (1991). During this time, the focus of each RAJAC has evolved, grown and become more focused as new activities, programs and initiatives have been introduced. The role and responsibilities of RAJACs, as detailed in the AJA, are to:

- Advocate for and promote improved justice outcomes and AJA-related initiatives to both Koori communities and government agencies
- Participate in and provide advice to AJF, the VAJAC and other related forums
- Develop and implement regional justice plans that address Koori overrepresentation
- In partnership promote and participate in cross agency and cross sectoral forums and initiatives to address Indigenous disadvantage
- Work with other regional Koori advocacy groups
- Monitor and comment on Koori contact with the justice system at a regional/state-wide level
- Promote and nurture the LAJAC and provide advocacy for the LAJAC at the regional level.

RAJAC regions are Barwon South West region, Gippsland region, Grampians region, Hume region, Loddon Mallee region, Eastern Metropolitan region, North Western Metropolitan region and Southern Metropolitan region.

LAJAC (Local Aboriginal Justice Action Committee)

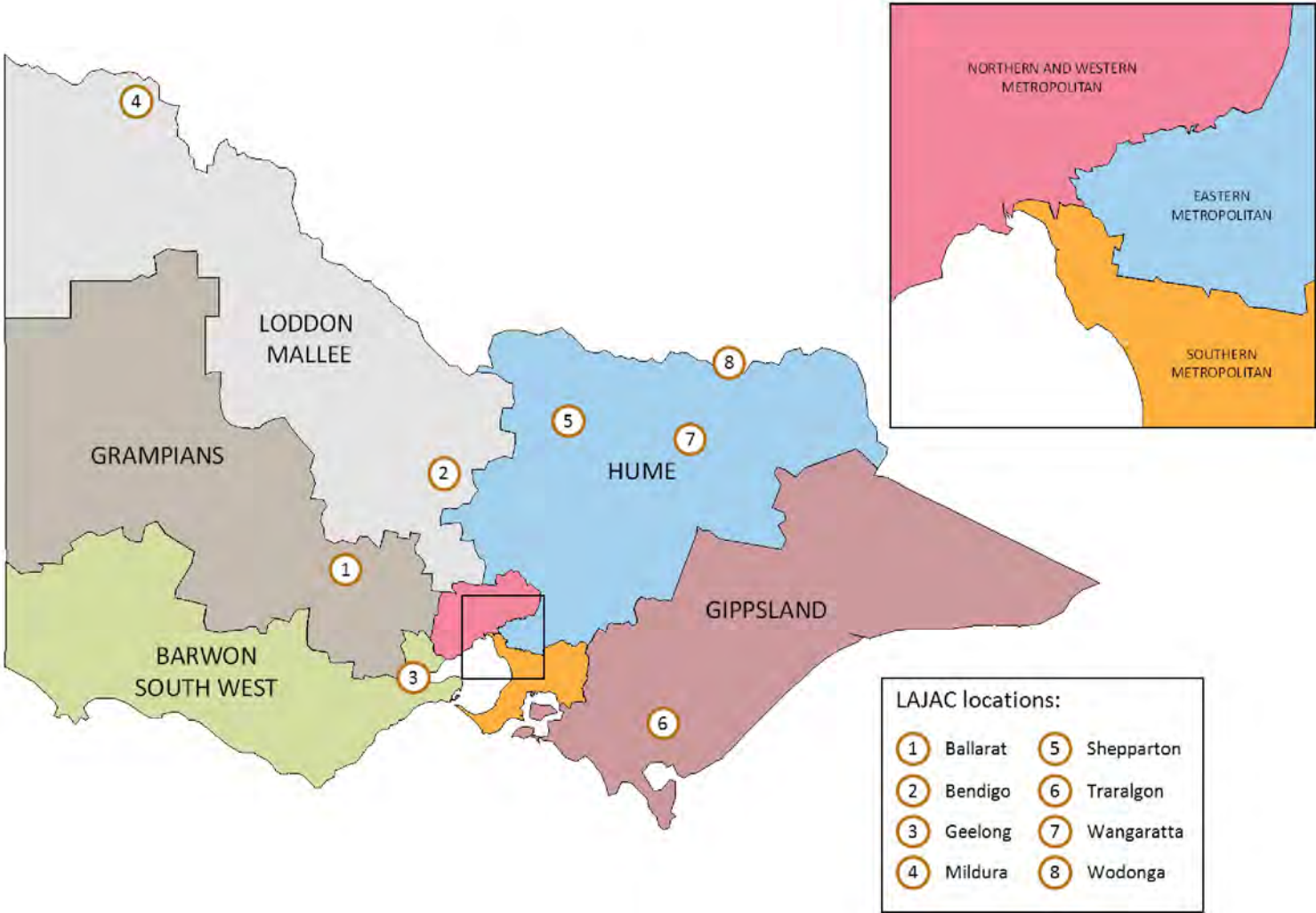
Local Aboriginal Justice Action Committees (LAJACs) have been established to develop close relationships and build trust with local Koori communities experiencing poor justice outcomes. The LAJACs are responsible for promoting and nourishing improved relationships, linkages and reconciliation between the wider local Koori community, justice agencies, local government and community service providers. The role and responsibilities of LAJACs as detailed in the AJA are to:

- Identify and address justice issues that contribute to poor outcomes for the local Koori community. This will be done through the development and implementation of local justice plans

- Advocate, monitor and comment on Koori contact with the justice system at the local level
- Promote justice related initiatives to Koori communities and government agencies
- Promote Koori participation in the design, development, implementation and evaluation of local justice initiatives
- Participate in and provide advice to the RAJAC network
- Through the RAJAC, participate in and provide advice to the AJF, the VAJAC and related forums
- Develop, promote and participate in relevant and local cross agency and cross sectoral forums and initiatives.

LAJACs are based in Mildura, Swan Hill, Robinvale, Bendigo, Wodonga, Horsham, Geelong, Glenelg, Heywood, Morwell and Bairnsdale.

Figure 23: RAJAC regions and LAJAC locations



C.2 Stakeholders consulted

Table 14: RAJAC Chairs and Executive Officers

Region	RAJAC Chair	RAJAC Executive Officer
Barwon South West	Denis Rose	John Bell
Eastern Metro	Irene Swindle	Nerida Sutherland
Gippsland	Bess Yarram	Nicole LeSage
Grampians	Larry Kanoa	Merv Atkinson
Hume	John Martin	Narida Vella
Loddon Mallee	Sid Clarke	Paula Murray
Northern Metro	Linda Bamblett	Troy Austin
Southern Metro	Marion Green	Peter Rotumah
Western Metro	Colleen Marion	Raylene Harradine

Table 15: Metropolitan consultations

Name	Organisation
Advocacy, community, legal and justice services	
Andrew Jackomos	Koori Justice Unit, Department of Justice
Antoinette Braybrook	Aboriginal Family Violence Prevention and Legal Service
Carolyn Gale	Department of Justice
Dr Alf Bamblett	VAJAC - Victorian Aboriginal Community Services Association Ltd
Dr Helen Szoke	Australian Human Rights Commission
Dr Clare Morton	Victims Support Agency & Community Operations & Strategy
Ian Hamm	Department of Planning and Community and Development
Jenny Samms	Department of Planning and Community and Development
Penny Armytage	Department of Justice
Wayne Muir	Aboriginal Community Justice Panels Program and Victorian Aboriginal Legal Service
Youth	
Kathryn Anderson	Department of Human Services
Tim Kanoa	Victorian Indigenous Youth Advisory Council
Health and housing	
Angela Singh	Department of Human Services

Name	Organisation
Janet Laverick	Department of Health
Jill Gallagher	Victorian Aboriginal Community Controlled Health Organisation
Larissa Strong	Department of Justice
Phil Cooper	Indigenous Family Violence Partnership Forum
Wendi Key	Department of Families, Housing, Community Services and Indigenous Affairs
Education	
Geraldine Atkinson	Victorian Aboriginal Education Association Inc
John Sullivan	Department of Education and Early Childhood Development
Corrections and courts	
Bob Hastings	Corrections Victoria
Callum Ingram	Department of Justice
Charlotte Stockwell	Magistrates' Court of Victoria
Evi Kadar	County Koori Court
Jelena Popovic	Magistrates' Court of Victoria
Marie Murfet	Corrections Victoria
Mason Atkinson	Koori Court Unit, Magistrates' Court
Paul Grant	Children's Court of Victoria
Police and enforcement	
Ashley Dickinson	Victoria Police
Stuart Morris	Victoria Police
Julia Griffith	Department of Justice
Robyn White	Department of Justice
Janelle Morgan	Department of Justice

Regional consultations were arranged and coordinated by the RAJAC Executive Officers, and we thank them for their vital assistance.

Table 16: Regional consultations

Region	Consultations
Barwon South West	Focus group and interviews with Koori community members and service providers from the Hamilton, Portland and Heywood communities
Barwon South West	Focus group and interviews with Koori community members and service providers from Warrnambool and surrounding communities
Barwon South West	Focus group and interviews with Koori community members and service providers from Geelong and surrounding communities

Region	Consultations
Eastern Metro	Interviews at Mullum Mullum Indigenous Gathering Place
Gippsland	Focus group with Koori community members and service providers at the Bairnsdale LAJAC.
Gippsland	Focus groups and interviews with Koori community members and service providers in Morwell
Gippsland	Youth focus group at the Aborigines Advancement League
Grampians	Informal consultations at RAJAC meeting
Hume	Informal consultations at RAJAC meeting
Loddon Mallee	Informal discussions with Koori community members at the Sisters' Day Out, and interviews with community members and service providers in Bendigo
Loddon Mallee	Focus groups and interviews with Koori community members and service providers in Kerang
Loddon Mallee	Focus groups and interviews with Koori community members and service providers in Swan Hill
Loddon Mallee	Focus groups and interviews with Koori community members and service providers in Mildura, including youth
Northern Metro	Interviews with Koori community members and service providers at the Aborigines Advancement League
Southern Metro	Interviews with Koori community members and service providers in the Southern Metro region
Western Metro	Informal consultations at RAJAC meeting

Table 17: Regional Directors

Name	Organisation
Regional Directors	
Jan Noblett	Barwon South West / Eastern Metro
Gabrielle Levine	Southern Metro
Will Crinall	Gippsland
John Duck	Hume
Jodi Henderson	Loddon Mallee
Catherine Darbyshire	Grampians
Michael Carroll	Northern Metro

Appendix D Data overview

D.1 Overview

Data has been drawn from a range of sources to inform the development of the report. Each data set has been treated in isolation with a workbook developed to support analysis of each data set by sex, age, region and indigeneity.

Each workbook consists of four main components, as outlined below:

1. Source data – These spread sheets provide the base data for each workbook. Where possible we have used the source data although in some cases we have been required to format the data through the use of Pivot tables to get it in a usable form. Tabs are coloured orange
2. Region by LGA – These spread sheets organise the data from the data input by region, LGA and year. Each LGA is assigned to a region. Results are presented in raw numbers. (i.e. as reported in the source file)
3. Population adjusted – These spread sheets transform the LGA view into more detailed regional snapshots. Specifically these spread sheets take the raw data and adjust the value for population growth to enable comparison between Indigenous and non-Indigenous data. They also explore indicators such as percentage of total
4. Population projections – The base population projections for Indigenous and non-Indigenous populations by LGA and region. A detailed description of how these are calculated is included Section D.5 below.

D.2 Source data

The following data sources were used to inform the report:

Table 18: Data sources

Data input	Source	Notes
1. Number of Indigenous prisoners	Daily average number of sentenced and un-sentenced prisoners by Indigenous status, gender, age and LGA of residence from 2005-06 to 2010-11 (Corrections Victoria).	◦ Only prisoners whose primary residence is in Victoria have been included
2. Number of non-Indigenous prisoners	Daily average number of sentenced and un-sentenced prisoners by Indigenous status, gender, age and LGA of residence from 2005-06 to 2010-11 (Corrections Victoria).	◦ Only prisoners whose primary residence is in Victoria have been included
3. Indigenous population (VIC)	Estimates based on ABS Census 2001 & 2006. See Section D.5 for details.	◦ Adult population is defined as 18 and older
4. Non-Indigenous population (VIC)	Estimates based on ABS Census 2001 & 2006. See Section D.5 for details.	◦ Adult population is defined as 18 and older

Data Input	Source	Notes
5. Number of Indigenous sentenced prisoners	Daily average number of sentenced prisoners by Indigenous status, gender, age and LGA of residence from 2005-06 to 2010-11 (Corrections Victoria).	
6. Number of Indigenous un-sentenced prisoners	Daily average number of un-sentenced prisoners by Indigenous status, gender, age and LGA of residence from 2005-06 to 2010-11 (Corrections Victoria).	
7. Number of Indigenous prisoners by prison type	Daily average number of Indigenous prisoners by security rating, gender, age and LGA of residence from 2005-06 to 2010-11 (Corrections Victoria).	
8. Prisoner data by most serious offence	Australian Bureau of Statistics, ABS Catalogue No. 4517.0 Prisoners in Australia, Companion data. Table 31. Number of Indigenous prisoners, By Most Serious Offence/ Charge 2001-02 to 2009-10.	
9. Distinct Indigenous offenders	No. of Distinct and Alleged Offenders Processed by Indigenous Status by Offence Group by Age Group by Gender by LGA from 2001-02 to 2010-11 (Victorian Police).	
10. Distinct non-Indigenous offenders	No. of Distinct and Alleged Offenders Processed by Indigenous Status by Offence Group by Age Group by Gender by LGA from 2001-02 to 2010-11 (Victorian Police).	
11. Distinct offender data by processing type	No. of Distinct Offenders Processed by Financial Year by Indigenous Status by Method of Processing by Age Group by Gender by LGA from 2001-02 to 2010-11 (Victorian Police).	
12. Number of Indigenous offenders on CBOs	Daily average number of offenders by Supervision status, by Indigenous status, by gender and by LGA from 2005-06 to 2010-11 (Corrections Victoria).	
13. Number of Indigenous youth in youth detention	Distinct number of youth in custody from 2001-02 to 2010-11 (Department of Human Services).	<ul style="list-style-type: none"> ◦ Youth is defined as 17 and under
14. Number of Indigenous youth under supervision	Distinct number of youth under a community based order from 2001-02 to 2010-11 (Department of Human Services).	<ul style="list-style-type: none"> ◦ Youth is defined as 17 and under
15. Number of Indigenous prisoners released on parole	Number of Indigenous prisoners released on parole by gender, age and LGA of residence from 2000-01 to 2010-11.	
16. Proportion of Indigenous adults who return to prison within two years	Indigenous prisoners returning to prison under sentence within two years of release (Corrections Victoria).	<ul style="list-style-type: none"> ◦ Data for 2000-01 and 2010-11 is not available ◦ Corrections Victoria does not report recidivism data for Indigenous by gender or other variables

Data input	Source	Notes
17. Proportion of Indigenous youth who return to prison within two years	Youth in custody from 2001-02 to 2010-11 (Department of Human Services).	
18. Koori clients/ Total number of clients	Koori Justice Unit, Department of Justice (Victoria).	
19. Number of Koori staff in DoJ	Koori Justice Unit, Department of Justice (Victoria).	
20. Number of Koori volunteers in AJA2 programs	Survey of AJA2 programs.	
21. Number of CIP and Frontline Grants	Koori Justice Unit, Department of Justice (Victoria).	
22. Number of Koori organisations delivering AJA2 initiatives	Koori Justice Unit, Department of Justice (Victoria).	
23. Income distribution for Koories compared to non-Indigenous Victorians	Census 2001 & 2006 - Cat. No. 2901.0 and Cat. No. 2002.0 Community Profile Series, Indigenous profile (Australian Bureau of Statistics).	
24. Employment / unemployment for Koories compared to non-Indigenous Victorians	Report on Government Services 2011, Indigenous Compendium (Productivity commission).	
25. Extent of drug and alcohol use for Koories compared to non-Indigenous Victorians	Report on Government Services 2011, Indigenous Compendium (Productivity commission).	
26. Cost per offender by severity	Australian Institute of Criminology, <i>Counting the Costs of Crime in Australia</i> , Canberra, 2005.	
27. Resource allocation summary by region and programme	Koori Justice Unit, Department of Justice (Victoria).	
28. Programme summary and evaluations	Koori Justice Unit, Department of Justice (Victoria).	

The following data sources were sought and were either unavailable or of insufficient quality to support analysis:

Data input	Reason
1. Distinct victims by offence (Victorian police)	Analysis of victimisation indicated significant under reporting. This finding is supported by an ABS paper on this subject which acknowledges that no single data source is able to comprehensively cover all facets of crime victimisation in the community.

Data input	Reason
2. Offender and victim Indigenous status (matched) (Victorian police)	The disparity in data quality between offender and victim data limits the potential to offer any insights from this data input.

D.3 Region by LGA

The composition of each region by LGA is outlined in Table 19 below:

Table 19: RAJAC Regions by LGA

Regions	LGA's		
Gippsland	<ul style="list-style-type: none"> ◦ Bass Coast (S) ◦ Baw Baw (S) 	<ul style="list-style-type: none"> ◦ East Gippsland (S) ◦ Latrobe (C) 	<ul style="list-style-type: none"> ◦ South Gippsland (S) ◦ Wellington (S)
Grampians	<ul style="list-style-type: none"> ◦ Ararat (RC) ◦ Ballarat (C) ◦ Golden Plains (S) ◦ Hepburn (S) 	<ul style="list-style-type: none"> ◦ Hindmarsh (S) ◦ Horsham (RC) ◦ Moorabool (S) ◦ Northern Grampians (S) 	<ul style="list-style-type: none"> ◦ Pyrenees (S) ◦ West Wimmera (S) ◦ Yarriambiack (S)
Hume	<ul style="list-style-type: none"> ◦ Alpine (S) ◦ Delatite (S) ◦ Greater Shepparton (C) ◦ Indigo (S) ◦ Mitchell (S) 	<ul style="list-style-type: none"> ◦ Moira (S) ◦ Murrindindi (S) ◦ Strathbogrie (S) ◦ Towong (S) 	<ul style="list-style-type: none"> ◦ Wangaratta (RC) ◦ Wodonga (RC) ◦ Benalla (RC) ◦ Mansfield (S)
Loddon Mallee	<ul style="list-style-type: none"> ◦ Buloke (S) ◦ Campaspe (S) ◦ Central Goldfields (S) ◦ Gannawarra (S) 	<ul style="list-style-type: none"> ◦ Greater Bendigo (C) ◦ Loddon (S) ◦ Macedon Ranges (S) 	<ul style="list-style-type: none"> ◦ Mildura (RC) ◦ Mount Alexander (S) ◦ Swan Hill (RC)
Barwon South West	<ul style="list-style-type: none"> ◦ Colac-Otway (S) ◦ Corangamite (S) ◦ Glenelg (S) 	<ul style="list-style-type: none"> ◦ Greater Geelong (C) ◦ Moyne (S) ◦ Queenscliff (B) 	<ul style="list-style-type: none"> ◦ Southern Grampians (S) ◦ Surf Coast (S) ◦ Warrnambool (C)
Northern	<ul style="list-style-type: none"> ◦ Banyule (C) ◦ Darebin (C) ◦ Hume (C) 	<ul style="list-style-type: none"> ◦ Melbourne (C) ◦ Moreland (C) ◦ Nillumbik (S) 	<ul style="list-style-type: none"> ◦ Whittlesea (C) ◦ Yarra (C)
Western	<ul style="list-style-type: none"> ◦ Brimbank (C) ◦ Hobsons Bay (C) 	<ul style="list-style-type: none"> ◦ Maribyrnong (C) ◦ Melton (S) 	<ul style="list-style-type: none"> ◦ Moonee Valley (C) ◦ Wyndham (C)
Eastern	<ul style="list-style-type: none"> ◦ Boroondara (C) ◦ Knox (C) ◦ Manningham (C) 	<ul style="list-style-type: none"> ◦ Maroondah (C) ◦ Monash (C) 	<ul style="list-style-type: none"> ◦ Whitehorse (C) ◦ Yarra Ranges (S)

Regions	LGA's		
Southern	<ul style="list-style-type: none"> ◦ Bayside (C) ◦ Cardinia (S) ◦ Casey (C) ◦ Frankston (C) 	<ul style="list-style-type: none"> ◦ Glen Eira (C) ◦ Greater Dandenong (C) ◦ Kingston (C) 	<ul style="list-style-type: none"> ◦ Mornington Peninsula (S) ◦ Port Phillip (C) ◦ Stonnington (C)
Other	<ul style="list-style-type: none"> ◦ Unincorporated Vic 	<ul style="list-style-type: none"> ◦ Non-Victorian LGA 	

D.4 Population adjusted

To enable comparison between Indigenous and non-Indigenous figures a rate per 1,000 people was calculated. Section D.5 contains further details on how population projections were derived.

D.5 Population projections

A variety of population projections exist for both Indigenous and Non Indigenous Victorians.

Victoria our Future – the Victorian Department of Planning and Community Development populations for Victoria along with The Australian Bureau of Statistics' Experimental Estimates and Projections, Aboriginal and Torres Strait Islander Australians (3238.0, Series B) provide a basis for projections at a State level although do not provide the granularity required to analyse movements against key indicators at a LGA or regional level. Victoria our future does not differentiate based on Indigenous status while the ABS experimental estimates and projections are only at State level.

To enable analysis, two sets of population projections were utilised. Where Indigenous data was reported at a State level (e.g. all ABS data) the Experimental Estimates and Projections were utilised. However Victorian police and corrections data at an LGA and regional level required an alternative set of projections.

Population estimates by LGA and region were generated through the use of census data to provide a snapshot of the population in 2001 and 2006 by LGA (Cat. No. 2901.0 and Cat. No. 2002.0 Community Profile Series, Indigenous profile). A cumulative annual growth rate (approximately 3.7%) was derived for each LGA and applied to calculate the non-census year population values.

We recognise the limitations of this approach, However within the multitude of population estimates that exist this was the only data set to provide estimates for Indigenous and non-Indigenous populations based on a comparable methodology.

A summary of how the projections for Indigenous Victorians differ from the ABS Experimental Estimates and Projections is provided in Table 20 below.

Table 20: Census and ABS estimates of Indigenous population in Victoria (all ages)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	CAGR
Census estimates	25,030	25,957	26,919	27,916	28,950	30,022	31,134	32,287	33,483	34,723	36,010	3.7%
Experimental estimates	30,005	30,730	31,418	32,082	32,797	33,517	34,285	35,084	35,909	36,761	37,647	2.3%

It should be noted that the variance between the census and experimental estimates will have the effect of lowering perceived growth in key indicators at an LGA level. However, this will only be true for indicators based on a rate per 1,000 individuals. Indicators based on percentage of total or ratios between Indigenous and non-Indigenous individuals should not be impacted by this variation.

Appendix E Headline indicators – data tables

E.1 Overall - Reduce Koori overrepresentation in the justice system.

Trend in Koori imprisonment over representation rates											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						14.4	14.2	12.5	9.7	9.6	10.4
Grampians						8.0	7.9	6.6	6.9	6.8	7.2
Hume						12.0	14.9	11.7	10.5	9.0	10.5
Loddon Mallee						17.1	14.6	13.4	15.5	12.5	11.9
Barwon South West						12.9	9.7	10.0	8.7	11.7	10.4
Northern						10.4	10.2	12.0	14.9	14.4	14.2
Western						11.5	12.4	13.2	11.3	10.9	12.3
Eastern						15.7	12.0	10.1	11.3	16.7	15.5
Southern						10.5	7.9	8.6	9.5	10.8	10.6
Total						12.8	12.0	11.8	12.0	12.0	12.1
ABS Age St	10.1	10.3	10.3	11.4	13.1	12.1	12.4	12.5	11.7	13.5	
ABS Crude	7.6	7.9	7.9	8.6	10.5	9.6	9.8	10.0	9.6	11.2	
Productivity Commission						12.9	12.4	12.3	12.6	13.3	
Nous Revised						12.9	11.9	12.0	12.5	13.2	

Trend in Koori imprisonment over representation rates (male)											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						15.5	14.8	12.8	10.4	10.5	10.8
Grampians						8.0	7.9	6.5	6.0	6.7	6.2
Hume						12.5	16.4	13.2	11.2	10.5	11.8
Loddon Mallee						18.6	16.1	13.8	17.2	12.9	12.5
Barwon South West						12.8	9.5	9.5	8.3	9.9	9.4
Northern						10.4	9.9	12.0	14.7	15.2	13.8
Western						10.4	11.4	12.0	9.6	9.7	11.4
Eastern						16.0	11.1	9.0	11.6	16.0	15.0
Southern						9.6	7.0	8.8	9.3	11.3	10.2
Total						12.9	12.0	11.8	11.9	12.2	12.1

Trend in Koori imprisonment over representation rates (female)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						14.5	14.2	19.4	-	7.7	8.2
Grampians						-	-	-	-	-	-
Hume						27.8	15.7	37.0	34.8	21.8	12.3
Loddon Mallee						16.1	7.1	16.7	8.0	21.0	25.3
Barwon South West						14.9	10.0	15.6	11.7	22.9	24.2
Northern						14.7	25.3	14.0	23.4	10.7	22.7
Western						26.2	10.1	8.8	21.9	24.1	19.7
Eastern						20.3	-	-	-	38.4	33.1
Southern						14.7	6.8	7.2	6.4	12.0	18.3
Total						16.2	11.1	11.1	13.0	15.6	17.3

Trend in Koori imprisonment over representation rates (youth aged 10-17 years)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total	15.8	13.1	13.4	20.4	37.5	11.8	19.7	13.6	9.8		
Total						1.0	1.0	1.0	1.0	1.1	1.0

10.1 Crime prevention and early intervention

Likelihood of being processed by police (based on racial appearance)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Under 18		3.44	3.26	3.55	3.67	3.38	2.76	2.96	3.11	2.90	3.14
18 - 19		3.07	3.13	3.31	3.18	3.24	3.08	3.09	2.65	2.94	3.05
20-24 years		3.41	3.77	2.94	3.63	3.47	3.50	3.71	3.48	3.18	3.68
25-29 years		3.96	4.00	4.52	4.52	4.24	3.89	3.96	4.19	4.39	5.00
30-34 years		5.36	4.47	5.08	5.25	5.38	4.80	4.82	4.34	4.52	4.53
35-39 years		5.60	5.70	4.95	5.14	5.49	5.14	4.82	4.99	4.24	4.69
40-44 years		4.63	4.89	4.92	3.71	4.71	5.29	4.92	4.82	4.33	4.37
45-49 years		3.14	3.37	3.45	3.79	3.45	4.78	4.07	5.29	3.86	4.20
50-54 years		4.88	4.07	2.88	2.97	3.10	2.63	3.47	3.27	2.97	3.13
55-59 years		5.84	2.96	3.18	3.66	4.83	2.75	2.32	2.34	2.97	2.05
60-64 years		0.94	0.82	1.44	2.01	4.13	1.90	2.73	2.93	1.72	2.13
65 years and over		3.40	0.80	0.72	1.44	0.91	-	0.69	1.28	2.18	0.95
Total		4.56	4.39	4.44	4.55	4.51	4.18	4.25	4.23	4.02	4.26

Proportion of Koories processed by police who receive a caution (based on appearance)											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Under 18	28.4%	31.1%	30.0%	34.3%	28.2%	36.9%	36.4%	33.5%	35.1%	33.7%	
18 - 19	3.7%	6.4%	7.6%	4.7%	2.2%	2.7%	3.7%	3.3%	4.7%	3.4%	
20-24 years	2.0%	2.3%	4.2%	4.5%	2.9%	1.1%	2.0%	6.5%	0.9%	3.3%	
25-29 years	3.0%	1.1%	3.1%	2.0%	5.9%	3.3%	1.1%	4.5%	2.5%	3.9%	
30-34 years	3.6%	5.0%	3.9%	3.1%	1.5%	3.4%	4.0%	1.8%	0.5%	2.7%	
35-39 years	0.0%	0.7%	5.0%	2.9%	1.9%	2.5%	2.5%	3.3%	2.4%	2.2%	
40-44 years	5.1%	1.4%	2.6%	6.3%	3.4%	4.7%	1.9%	3.5%	3.6%	1.6%	
45-49 years	0.0%	3.7%	6.7%	2.8%	8.6%	1.9%	6.3%	3.0%	1.8%	9.4%	
50-54 years	0.0%	5.3%	0.0%	0.0%	0.0%	6.3%	4.3%	4.2%	4.0%	0.0%	
55-59 years	18.2%	14.3%	37.5%	0.0%	14.3%	0.0%	0.0%	11.1%	15.4%	0.0%	
60-64 years	0.0%	0.0%	0.0%	33.3%	16.7%	0.0%	0.0%	16.7%	0.0%	0.0%	
65 years and over	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	25.0%	0.0%	
Total	11.3%	11.7%	12.5%	12.8%	10.4%	12.0%	12.5%	12.7%	11.2%	10.5%	

10.2 Diversion/alternatives to imprisonment

10.2.1 Proportion of Koories cautioned when processed by police

Proportion of Koories processed by police who receive a caution (all ages, appearance)											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland	9.6%	16.3%	15.5%	14.9%	14.7%	12.8%	13.7%	14.8%	11.1%	15.7%	
Grampians	24.5%	7.2%	14.6%	16.7%	17.1%	10.8%	16.0%	9.6%	9.1%	11.5%	
Hume	8.9%	9.7%	10.2%	10.9%	8.7%	8.1%	15.4%	16.7%	10.4%	12.2%	
Loddon Mallee	12.2%	12.7%	12.0%	15.8%	9.7%	15.2%	14.6%	12.9%	14.4%	9.8%	
Barwon South West	9.1%	7.8%	17.4%	15.3%	9.2%	4.3%	8.6%	11.7%	8.0%	9.0%	
Northern	8.4%	8.8%	9.0%	6.6%	7.0%	11.2%	7.6%	11.9%	10.0%	5.7%	
Western	10.3%	10.5%	22.7%	21.2%	20.7%	12.5%	2.6%	0.0%	12.8%	17.9%	
Eastern	25.0%	8.3%	13.8%	0.0%	10.0%	22.7%	22.2%	5.6%	10.4%	6.7%	
Southern	11.9%	13.9%	10.7%	9.5%	6.2%	12.6%	11.0%	12.4%	7.1%	9.0%	
Total	11.3%	11.7%	12.5%	12.8%	10.4%	12.0%	12.5%	12.7%	11.2%	10.5%	

Proportion of Koorles processed by police who receive a caution (all ages, male)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland		10.3%	15.6%	13.5%	12.6%	11.3%	8.8%	13.2%	9.5%	7.2%	10.7%
Grampians		25.6%	8.5%	17.9%	18.2%	15.3%	11.9%	17.6%	10.4%	10.0%	12.0%
Hume		7.6%	9.2%	8.5%	6.6%	10.4%	8.5%	13.7%	18.6%	8.4%	10.3%
Loddon Mallee		13.6%	12.9%	10.8%	14.3%	8.8%	13.8%	14.0%	10.5%	13.5%	8.1%
Barwon South West		4.8%	6.7%	13.8%	16.9%	7.5%	4.8%	8.7%	7.6%	3.3%	9.6%
Northern		5.1%	5.3%	5.4%	4.3%	4.3%	8.3%	5.4%	8.2%	4.9%	4.4%
Western		0.0%	11.5%	21.4%	14.8%	25.0%	10.0%	0.0%	0.0%	7.4%	19.0%
Eastern		26.9%	7.1%	5.0%	0.0%	12.5%	22.9%	10.0%	2.6%	13.9%	3.6%
Southern		4.0%	12.1%	5.2%	1.5%	6.6%	9.7%	10.4%	7.5%	6.5%	6.7%
Total		10.3%	10.7%	10.1%	10.4%	9.3%	10.2%	11.3%	10.0%	8.7%	8.5%

Proportion of Koorles processed by police who receive a caution (all ages, female)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland		8.0%	17.5%	19.0%	20.7%	22.2%	20.0%	14.9%	24.3%	18.6%	24.4%
Grampians		21.4%	4.5%	0.0%	11.8%	23.5%	8.7%	12.5%	8.0%	7.4%	10.7%
Hume		10.3%	11.8%	16.2%	23.3%	4.1%	7.0%	19.6%	12.5%	15.8%	16.9%
Loddon Mallee		9.4%	12.1%	14.5%	18.4%	11.6%	18.1%	15.8%	17.3%	16.1%	12.9%
Barwon South West		19.2%	10.7%	25.9%	10.7%	13.8%	3.0%	8.3%	20.0%	16.7%	7.7%
Northern		15.9%	17.4%	18.3%	12.7%	13.9%	16.5%	12.0%	18.6%	17.8%	8.1%
Western		23.1%	8.3%	25.0%	50.0%	0.0%	20.0%	11.1%	0.0%	20.0%	16.7%
Eastern		21.4%	12.5%	33.3%	0.0%	0.0%	22.2%	37.5%	13.3%	0.0%	11.8%
Southern		35.3%	19.0%	23.1%	24.3%	5.4%	18.2%	12.1%	21.1%	8.3%	13.9%
Total		13.3%	14.1%	17.9%	18.1%	13.1%	15.8%	15.0%	17.9%	15.8%	14.4%

10.2.2 Proportion of Koories remanded in custody

Trend in Koori overrepresentation in remand											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						15.6	18.4	18.2	13.4	12.5	21.2
Grampians						9.3	18.0	6.3	-	6.2	15.8
Hume						53.8	25.0	12.8	13.4	14.6	3.2
Loddon Mallee						28.5	27.7	15.6	16.1	17.7	14.7
Barwon South West						13.2	12.6	10.0	7.4	9.8	8.4
Northern						10.5	10.1	16.1	17.9	19.0	17.1
Western						11.1	10.6	14.2	9.5	14.3	14.7
Eastern						16.6	13.6	15.4	12.3	39.4	17.4
Southern						17.0	13.9	8.4	10.0	7.7	13.5
Total						15.1	14.5	12.7	12.0	14.3	13.4

Trend in Koori overrepresentation in remand (male)											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						18.2	21.3	14.9	15.2	14.2	26.9
Grampians						9.1	18.7	6.1	-	6.2	14.8
Hume						64.9	27.5	14.2	15.7	12.4	4.0
Loddon Mallee						25.6	31.1	17.5	15.5	19.4	16.2
Barwon South West						13.9	13.0	10.7	7.5	6.9	8.5
Northern						11.8	8.2	16.4	15.0	17.7	15.8
Western						9.1	8.6	11.1	6.8	11.9	14.0
Eastern						17.1	13.8	15.3	12.7	26.6	17.6
Southern						15.1	15.1	6.8	11.0	8.4	10.7
Total						15.3	14.7	12.2	11.2	13.2	13.3

Trend in Koori overrepresentation in remand (female)											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						-	-	-	-	-	-
Grampians						-	-	-	-	-	-
Hume						-	-	-	-	-	-
Loddon Mallee						-	-	-	-	-	-
Barwon South West						-	-	-	-	-	72.6
Northern						-	54.4	-	26.4	24.4	25.5
Western						29.9	-	-	33.4	17.2	11.3
Eastern						-	-	-	-	147.0	-
Southern						-	-	-	-	-	-
Total						9.3	10.1	-	13.0	13.5	11.8

10.2.3 Proportion of Koories in maximum security prisons

Proportion of Koori adult inmates in maximum security prison											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						22.2%	21.9%	24.1%	28.6%	14.3%	19.2%
Grampians						22.2%	30.0%	33.3%	0.0%	22.2%	27.3%
Hume						46.7%	38.1%	27.8%	16.7%	25.0%	25.0%
Loddon Mallee						29.4%	39.4%	31.4%	22.7%	28.2%	21.1%
Barwon South West						25.0%	31.6%	33.3%	26.3%	19.2%	30.4%
Northern						29.0%	32.4%	42.9%	38.9%	37.7%	32.7%
Western						33.3%	33.3%	36.6%	30.8%	42.9%	42.6%
Eastern						16.7%	20.0%	33.3%	40.0%	53.3%	28.6%
Southern						30.0%	47.1%	36.8%	31.8%	34.6%	33.3%
Total						28.7%	33.0%	34.1%	28.8%	32.3%	30.5%

2.2 Proportion of Koori adult inmates in maximum security prison (male)											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						22.2%	22.6%	25.0%	28.6%	14.3%	20.0%
Grampians						22.2%	30.0%	33.3%	0.0%	22.2%	20.0%
Hume						42.9%	40.0%	22.2%	17.6%	25.0%	21.7%
Loddon Mallee						25.0%	37.5%	34.4%	23.3%	28.6%	22.9%
Barwon South West						26.3%	33.3%	31.6%	22.2%	18.2%	28.6%
Northern						28.6%	33.3%	42.1%	35.4%	34.0%	31.3%
Western						25.0%	30.0%	32.4%	30.3%	37.8%	36.7%
Eastern						16.7%	22.2%	37.5%	30.0%	50.0%	30.8%
Southern						35.3%	42.9%	33.3%	30.0%	32.0%	29.2%
Total						26.9%	32.5%	32.9%	27.1%	30.0%	28.2%

2.2 Proportion of Koori adult inmates in maximum security prison (female)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						0.0%	0.0%	0.0%	NA	0.0%	0.0%
Grampians						NA	NA	NA	NA	NA	NA
Hume						100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Loddon Mallee						100.0%	100.0%	0.0%	0.0%	33.3%	0.0%
Barwon South West						0.0%	100.0%	0.0%	100.0%	100.0%	0.0%
Northern						66.7%	40.0%	33.3%	50.0%	66.7%	33.3%
Western						40.0%	0.0%	50.0%	40.0%	57.1%	75.0%
Eastern						0.0%	NA	NA	NA	50.0%	0.0%
Southern						0.0%	0.0%	0.0%	100.0%	50.0%	33.3%
Total						43.8%	33.3%	16.7%	46.7%	52.4%	38.5%

10.2.4 Proportion of Koories sentenced to prison/ youth detention rather than other orders

Proportion of Koori adults sentenced to prison rather than other orders

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						32.9%	38.6%	38.2%	28.8%	21.2%	23.4%
Grampians						33.3%	47.6%	42.9%	31.0%	24.3%	31.4%
Hume						24.2%	32.3%	20.5%	22.8%	23.5%	24.7%
Loddon Mallee						32.4%	33.3%	29.7%	35.2%	30.0%	28.1%
Barwon South West						45.5%	38.8%	41.2%	36.5%	37.7%	34.3%
Northern						34.4%	44.7%	48.8%	50.5%	41.7%	39.6%
Western						65.9%	67.3%	70.7%	68.4%	60.0%	59.3%
Eastern						42.9%	38.5%	33.3%	38.5%	41.7%	38.9%
Southern						39.2%	45.9%	47.5%	40.0%	35.1%	37.0%
Total						36.8%	41.4%	39.5%	39.1%	34.5%	34.7%

2.3 Proportion of Koori adults sentenced to prison rather than other orders (male)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						36.5%	40.8%	42.4%	30.9%	22.6%	24.8%
Grampians						37.5%	52.6%	50.0%	32.0%	26.5%	32.3%
Hume						25.0%	35.1%	22.2%	24.3%	26.0%	25.3%
Loddon Mallee						34.0%	36.4%	30.5%	37.4%	32.1%	32.1%
Barwon South West						50.0%	40.0%	42.2%	39.1%	37.3%	33.9%
Northern						36.4%	45.5%	49.4%	53.3%	44.2%	40.3%
Western						70.6%	68.2%	74.0%	68.8%	62.7%	62.8%
Eastern						50.0%	39.1%	36.4%	43.5%	50.0%	41.9%
Southern						37.8%	48.3%	50.0%	41.7%	39.1%	38.1%
Total						39.1%	43.4%	41.4%	40.9%	36.6%	36.2%

2.3 Proportion of Koori adults sentenced to prison rather than other orders (female)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland						4.2%	4.3%	4.2%	0.0%	2.4%	2.2%
Grampians						0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Hume						6.3%	5.3%	2.9%	3.4%	3.6%	2.9%
Loddon Mallee						6.7%	3.4%	5.3%	2.8%	6.5%	6.0%
Barwon South West						9.1%	7.1%	12.5%	6.7%	7.1%	8.0%
Northern						12.0%	25.0%	20.0%	23.1%	10.7%	15.8%
Western						50.0%	33.3%	40.0%	41.7%	41.2%	32.0%
Eastern						12.5%	0.0%	0.0%	0.0%	25.0%	16.7%
Southern						22.2%	11.1%	9.1%	8.3%	10.5%	16.7%
Total						11.3%	9.4%	7.8%	9.2%	9.2%	10.2%

Proportion of Koori youth sentenced to juvenile detention rather than other orders											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland		3.8%	3.4%	9.4%	21.4%	3.6%	0.0%	0.0%	6.5%	5.0%	4.5%
Grampians		0.0%	0.0%	36.4%	25.0%	18.8%	15.0%	3.6%	4.3%	8.3%	6.3%
Hume		10.7%	11.1%	11.1%	23.8%	15.0%	5.9%	0.0%	0.0%	6.1%	4.0%
Loddon Mallee		14.7%	13.0%	17.5%	16.7%	8.1%	10.5%	9.1%	10.5%	4.1%	5.4%
Barwon South West		13.3%	11.1%	9.1%	22.2%	5.3%	5.3%	0.0%	0.0%	0.0%	7.4%
Northern		5.9%	0.0%	0.0%	14.8%	4.0%	3.8%	3.9%	2.3%	4.3%	6.5%
Western		37.5%	0.0%	0.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Eastern		0.0%	9.1%	23.1%	17.6%	14.3%	6.3%	6.7%	0.0%	0.0%	0.0%
Southern		10.5%	26.7%	7.7%	27.3%	0.0%	0.0%	0.0%	0.0%	0.0%	10.8%
Total		9.3%	9.8%	13.5%	20.0%	7.5%	6.1%	3.6%	3.4%	3.4%	6.1%

10.2.5 Proportion of Koori prisoners released on parole

Proportion of Koori prisoners released on parole (adult)											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland	32.0%	36.0%	20.8%	64.3%	47.6%	37.8%	20.6%	19.1%	25.0%	23.3%	40.0%
Grampians	11.1%	36.4%	12.5%	0.0%	35.0%	46.2%	31.3%	50.0%	31.3%	50.0%	36.8%
Hume	26.3%	36.0%	10.0%	13.3%	14.3%	16.7%	32.0%	46.4%	51.6%	30.4%	51.3%
Loddon Mallee	11.5%	18.6%	27.1%	31.1%	14.3%	33.3%	39.6%	23.3%	32.8%	31.2%	22.4%
Barwon South West	15.0%	28.6%	47.6%	25.0%	9.5%	40.6%	37.5%	19.4%	33.3%	53.6%	41.2%
Northern	16.7%	17.4%	27.8%	39.0%	38.3%	27.5%	30.8%	22.1%	31.3%	29.6%	21.0%
Western	20.0%	20.0%	26.1%	56.3%	52.6%	36.8%	51.9%	45.7%	27.0%	36.8%	36.5%
Eastern	40.0%	33.3%	18.2%	46.7%	42.9%	61.5%	31.3%	8.3%	30.0%	33.3%	57.1%
Southern	20.0%	40.7%	33.3%	23.8%	40.0%	26.8%	3.1%	29.4%	26.9%	16.0%	25.7%
Total	19.1%	26.5%	26.1%	34.4%	31.3%	33.6%	30.9%	27.3%	31.9%	32.4%	33.3%

Proportion of Koori prisoners released on parole (adult, male)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland	33.3%	39.1%	21.7%	64.3%	47.6%	37.8%	21.2%	19.5%	25.6%	25.0%	41.7%
Grampians	12.5%	30.0%	12.5%	0.0%	31.6%	50.0%	38.5%	50.0%	33.3%	46.7%	38.9%
Hume	31.3%	35.3%	11.1%	8.3%	16.7%	19.0%	32.0%	48.0%	55.2%	31.6%	52.9%
Loddon Mallee	13.9%	20.6%	29.5%	30.2%	14.6%	34.5%	37.0%	23.1%	35.7%	31.3%	22.4%
Barwon South West	18.8%	31.6%	45.0%	31.6%	5.3%	46.2%	40.0%	17.4%	36.7%	54.5%	46.7%
Northern	19.5%	17.6%	31.6%	44.7%	45.0%	29.8%	32.4%	24.1%	36.5%	35.9%	21.2%
Western	18.2%	26.7%	20.0%	75.0%	58.8%	30.0%	54.5%	44.4%	30.0%	34.6%	33.3%
Eastern	44.4%	33.3%	33.3%	50.0%	50.0%	60.0%	41.7%	11.1%	27.8%	33.3%	62.5%
Southern	20.0%	45.8%	37.5%	22.2%	39.1%	26.5%	3.3%	28.6%	26.3%	16.7%	24.1%
Total	22.1%	28.7%	27.9%	37.4%	33.3%	34.6%	31.8%	27.7%	34.7%	33.6%	34.2%

Proportion of Koori prisoners released on parole (adult, female)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
RAJAC Region											
Gippsland	0.0%	0.0%	0.0%	NA	NA	NA	0.0%	16.7%	0.0%	0.0%	0.0%
Grampians	0.0%	100.0%	NA	0.0%	100.0%	0.0%	0.0%	NA	0.0%	100.0%	0.0%
Hume	0.0%	37.5%	0.0%	33.3%	0.0%	0.0%	NA	33.3%	0.0%	25.0%	40.0%
Loddon Mallee	6.3%	11.1%	0.0%	50.0%	12.5%	25.0%	100.0%	25.0%	12.5%	30.0%	22.2%
Barwon South West	0.0%	0.0%	100.0%	0.0%	50.0%	16.7%	0.0%	25.0%	0.0%	50.0%	0.0%
Northern	10.5%	16.7%	13.3%	16.7%	0.0%	0.0%	20.0%	10.0%	15.0%	5.9%	20.0%
Western	25.0%	0.0%	37.5%	0.0%	0.0%	44.4%	40.0%	50.0%	14.3%	41.7%	50.0%
Eastern	0.0%	33.3%	0.0%	0.0%	0.0%	66.7%	0.0%	0.0%	50.0%	33.3%	50.0%
Southern	NA	0.0%	0.0%	33.3%	50.0%	28.6%	0.0%	33.3%	28.6%	0.0%	33.3%
Total	8.2%	17.6%	15.8%	16.1%	15.4%	26.8%	20.8%	25.0%	15.7%	26.8%	28.3%

10.3 Reduce re-offending

Percentage of Indigenous prisoners returning to prison within 2 years of release from prison

	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Total	51.4%	55.0%	50.0%	52.2%	56.5%	48.6%	50.0%	49.1%	45.0%
Total	51.4%	55.0%	50.0%	52.2%	56.5%	48.6%	50.0%	49.1%	45.0%

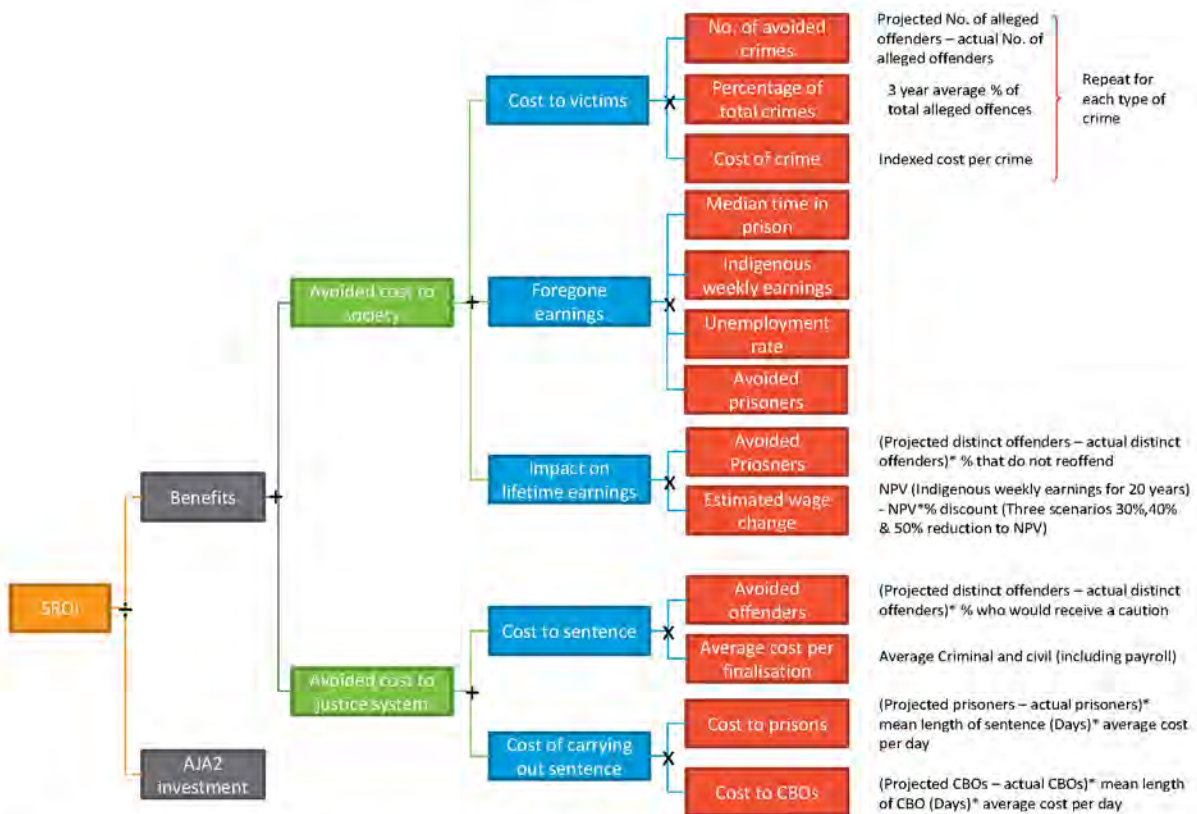
Appendix F Detailed SROI Methodology

The social return on investment (SROI) is based on a high level assessment of the costs and benefits associated with AJA2. Indigenous issues are highly complex and the key levers of change are difficult to disentangle. Within this context we have identified two main benefits streams:

- **Avoided cost to society of crimes committed.** This includes the cost to victims, foregone earnings while in detention and the impact on lifetime earnings (a proxy for productive participation in the economy and community) for incarcerated individuals
- **Avoided costs to the justice system.** This includes the cost to sentence and the costs of carrying out the sentence, either through prison or a supervised community based order. We have assumed no cost for an unsupervised order.

Benefits were then divided by the AJA2 investment to derive a SROI. Investment from third parties was not considered as part of the analysis although we would suggest that this is likely to be proportionate to the benefits excluded from our calculations. An overview of the logic utilised to calculate the SROI is provided in Figure 24 below.

Figure 24: SROI logic



We recognise the limitation of this approach. The true value to the Indigenous and broader community cannot be quantified easily and the assumptions that underpin attempts to quantify these benefits and costs will always have a disproportionate impact on the value of the estimate. For these reasons the SROI should not be considered to be the definitive measure of the success of the AJA2; rather the SROI provides an indicative social return of the AJA2 to Victoria and its citizens.

F.1 Model inputs

The following table provides a detailed description of the variables outlined in the SROI logic above.

Table 21: Description of SROI model variables

Variable	Description/ source
Number of avoided crimes	Source: No. of Distinct and Alleged Offenders Processed by Indigenous Status by Offence Group by Age Group by Gender by LGA from 2001-02 to 2010-11 (Victorian Police). Projected crimes over the period 2006 -2010 based on average alleged offenders per 1000 individuals 2001-2005.
Percentage of total crimes	Source: No. of Distinct and Alleged Offenders Processed by Indigenous Status by Offence Group by Age Group by Gender by LGA from 2001-02 to 2010-11 (Victorian Police). Percentage based on 3 year average from 2008-09 to 2010-11.
Cost of Crime	Source: Australian Institute of Criminology, <i>Counting the Costs of Crime in Australia</i> , Canberra, 2005. Figures indexed by CPI.
Median time in prison	Source: Australian Bureau of Statistics, Prisoners in Australia, 2001 - Companion data (ABS Cat. No. 4517.0), table 35 – Mean and median aggregate sentence of Indigenous sentenced prisoners. Estimate for days in prison based on 2010 median sentence for Indigenous persons. An estimate of 30.42 days per month applied to translate months to days. Average duration of a CBO estimated at six months.
Indigenous weekly earnings	Source: Median Indigenous weekly earnings, The Health and Welfare of Australia's Aboriginal and Torres Strait Islander peoples, 2008, ABS. 2006 figures indexed by average wage price index for Victoria.
Unemployment rate	Source: The Health and Welfare of Australia's Aboriginal and Torres Strait Islander peoples, 2008, ABS; ABS post-imprisonment unemployment. Unemployment rate assumed to remain constant over the period of the AJA2.
Avoided prisoners	Source: Productivity commission, Overcoming Indigenous Disadvantage, Table 4A.12.1- Number of prisoners. Projected prisoners over the period 2006 -2010 based on CAGR between 2001 and 2005.
Estimated wage change	Source: Median Indigenous weekly earnings, The Health and Welfare of Australia's Aboriginal and Torres Strait Islander peoples, 2008, ABS. Total potential wage calculated by multiplying average weekly by 52 over 20 years. Annual income indexed by average wage price index for Victoria. Annual wage discounted by average CPI 2010-2011 to determine Net present Value. Three scenarios applied (20%, 40% and 50% reduction) to determine revised salary. This is deducted from total potential wage to arrive at net change.
Avoided offenders	Source: No. of Distinct and Alleged Offenders Processed by Indigenous Status by Offence Group by Age Group by Gender by LGA from 2001-02 to 2010-11 (Victorian Police). Projected offenders over the period 2006 -2010 based on average distinct offenders per 1000 individuals 2001-2005.

Variable	Description/ source
Average cost of finalisation	Source: PC Report on Government Services 2011. http://www.pc.gov.au/gsp/reports/rogs/2011 Chapter 7 Court Administration. 2009-10 figures discounted by average CPI 2001-11.
Cost to prisons	Source: Corrections Victoria presentation to Aboriginal Justice Forum. 2010-11 figures discounted by average CPI 2001-11.
Cost to CBOs	Source: Corrections Victoria presentation to Aboriginal Justice Forum. 2010-11 figures discounted by average CPI 2001-11.
AJA2 Investment	Koori Justice Unit, Department of Justice (Victoria).

F.2 Assumptions

The following additional high-level assumptions were made in the development of the model:

- The AJA2 covers Indigenous persons 10 years of age and over
- All benefits are assumed to accrue from investment associated with the AJA2
- An average working life for an Indigenous person is 20 years
- SROI is calculated on an annual basis with all benefits that accrue in that year assumed to be as a result of AJA2 investment over the same period.

Appendix G Summary of AJA2 projects by location

Below is a summary of key AJA2 project/ initiatives by RAJAC Region and LGA (2006/07- 2010/11). Not all programs have run over the entire five year period, and initiatives may have ceased in certain locations over the period. Initiatives include those developed before, as well as during, implementation of AJA2.

Table 22: Summary of key AJA2 project/ initiatives by RAJAC Region and LGA (2006/07- 2010/11)

AJA2 Project/ Initiative and Strategic Objective	RAJAC Region, and specific Local Government Area (LGA) located								
	Barwon Southwest	Gippsland	Grampians	Hume	Loddon Mallee	Eastern Metropolitan	Northern Metropolitan	Southern Metropolitan	Western Metropolitan
Crime prevention and early intervention									
Frontline Youth Initiatives Program	State-wide								
Community Initiatives Program	State-wide								
Koori Night Patrol Program		East Gippsland Latrobe		Greater Shepparton	Swan Hill Mildura		Darebin		
Koori Early School Leavers and Youth Employment Program					Mildura		Darebin		
Strengthening alternatives to imprisonment									
VALS-Victoria Police Cautioning & Youth Diversion Project		East Gippsland Latrobe		Greater Shepparton	Mildura Swan Hill				
Magistrates' Koori Court	Warmambool	East Gippsland Latrobe		Greater Shepparton	Mildura Swan Hill		Hume		
Children's Koori Court					Mildura		Melbourne		
County Koori Court		Latrobe							
Koori Youth Justice Program**	Warmambool	East Gippsland (x 2) Latrobe	Ballarat Horsham	Greater Shepparton Wodonga	Campaspe Mildura (x2)	Yarra Ranges	Darebin (x3)	Greater Dandenong	May be serviced by N Metro workers
Koori Youth Intensive Bail Support Program**	Greater Geelong	East Gippsland		Greater Shepparton			Darebin (x2)	Greater Dandenong	May be serviced by N Metro workers
ACLO Program	Warmambool	East Gippsland Latrobe		Greater Shepparton	Swan Hill	Yarra Ranges		Greater Dandenong	
CISP-Koori Liaison Officers							Melbourne (x2)*		

AJA2 Project/ Initiative and Strategic Objective	RAJAC Region, and specific Local Government Area (LGA) located								
	Barwon Southwest	Gippsland	Grampians	Hume	Loddon Mallee	Eastern Metropolitan	Northern Metropolitan	Southern Metropolitan	Western Metropolitan
Local Justice Worker Program	Warrnambool/ Greater Geelong	East Gippsland Baw Baw	Horsham	Wodonga	Campaspe Greater Bendigo Swan Hill				Maribyrnong
VALS Koori Court Initiative (located where Koori courts are)	Warrnambool	East Gippsland Latrobe		Greater Shepparton	Mildura Swan Hill		Hume Melbourne		
Koori Offender Support and Mentoring Program		East Gippsland Latrobe		Greater Shepparton	Mildura		Darebin		
Wulgunggo Ngalu Learning Place		Wellington*							
Indigenous Community Corrections Officer Program	Warrnambool	Latrobe		Greater Shepparton	Greater Bendigo Mildura		Hume		
Mainstream Courts-Aboriginal Community Engagement Officer Program	Greater Geelong							Greater Dandenong	
PALO Program	Located in all regions across the state								
Reduce re-offending									
Koori Youth Intensive Pre and Post Release Program**	Greater Geelong	East Gippsland		Greater Shepparton			Darebin (x2)	Greater Dandenong	May be serviced by N Metro
Aboriginal Cultural Immersion Program	Run in various prison locations across the state where Koori prisoners are located***								
Marumali Program									
Koori Cognitive Skills Program									
Koori Mental Health Review									
Aboriginal Wellbeing Officers									
Konnect (Koori Transitional Support Program)									
Aboriginal Family Visits Program									

Evaluation of the Aboriginal Justice Agreement – Phase 2

AJA2 Project/ Initiative and Strategic Objective	RAJAC Region, and specific Local Government Area (LGA) located								
	Barwon Southwest	Gippsland	Grampians	Hume	Loddon Mallee	Eastern Metropolitan	Northern Metropolitan	Southern Metropolitan	Western Metropolitan
Reduce victimisation									
Koori VOCAT List	State-wide								
Aboriginal Victims of Crime team	State-wide								
Responsive and inclusive services									
Indigenous Cultural Awareness Training	State-wide								
Koori Independent Prison Visitor Program	Run in various prison locations across the state where Koori prisoners are located***								
Koori Recruitment and Career Development Strategy	State-wide								
Yannabil-Aboriginal Visitors Program	Run in various prison locations across the state where Koori prisoners are located***								
Tarwirii (Indigenous Law Students and Lawyers Association of Victoria)	State-wide								
Indigenous Consumers Project	State-wide								
VHREOC Community Engagement Program	State-wide								
Aboriginal Community Justice Panels	Greater Geelong Warrnambool (x2)		Ballarat Horsham	Shepparton Wodonga	Campaspe Greater Bendigo Mildura Swan Hill (x2)			Greater Dandenong	
Strengthening community justice responses									
VAJAC	State-wide								
RAJACs	One RAJAC located in each RAJAC Region								
LAJACs	Warrnambool of Glenelg Greater Geelong	East Gippsland Latrobe	Horsham	Wodonga	Mildura Swan Hill (x2) Greater Bendigo				
Indigenous Mediator Program	State-wide								

*Projects/initiatives located in specific LGAs may also be available to individuals from other LGAs or RAJAC regions

****The Koori Youth Justice Program is run by Youth Services and Youth Justice in the Department of Human Services and comprises: Koori Youth Justice Worker Program, Koori Youth Intensive Bail Support Program and the Koori Youth Intensive Pre and Post Release Program. The latter two are often run as a combined program in one location.**

*****Victoria's prisons are located in the following seven RAJAC Regions: Barwon South West, Loddon Mallee, Hume, Grampians, Gippsland, Northern Metro and Western Metro. Not all prisons will have Koori prisoners at any given time.**

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Ministerial and community signatories to the AJA3 at its launch on 13 March 2013.

How can I be involved?

You can support the AJA3 by:

- getting in touch with your RAJAC to find out more about their work in your community
- participating in and promoting community forums and other RAJAC activities
- raising awareness by displaying this brochure at your workplace or local community organisation.

Who can I contact for more information?

Place label with RAJAC Executive Officer, Chairperson or Department of Justice Regional Office details here

Koori Justice Unit

Tel: 8684 1766

Email: koori.justice@justice.vic.gov.au

Visit www.justice.vic.gov.au

Kurnai Shield © Ms Eileen Harrison, a Kurnai Woman from Gippsland. 'The markings on this shield represent our people and our country.'



Understanding the Victorian Aboriginal Justice Agreement (AJA)

A partnership between the Victorian Government and Koori Community



AJA3 is the third phase of a long-term change strategy to be rolled out in stages over a generation until the gap is closed. There are 82 actions that form the basis of the AJA3 Action Plan, to be implemented over a five-year period from 2013 to 2018.

By 2031, to close the gap in the rate of Aboriginal and non-Aboriginal people under youth and adult justice supervision.

The Victorian Aboriginal Affairs Framework sets — for the first time in Australia — a generational target for closing the gap in justice outcomes, which for AJA3 is:

What is the AJA trying to achieve?

- preventing and reducing the further progression of young Koories into the criminal justice system
- maximising diversion particularly for Koori women
- reducing re-offending across the justice system
- reducing conflict, violence and victimisation and improving support for victims
- addressing issues which drive contact with the justice system such as alcohol and drugs, mental health issues, unstable housing and unemployment
- continuing to strengthen the Koori community-government partnership in addressing Koori justice
- building on cultural strength within the Koori community as a foundation for lasting change, and
- continuing a place-based approach, strengthening community justice responses and improving community safety at the local level.

What is the AJA3?

AJA3 continues the work to improve Koori justice outcomes and reduce over-representation in the criminal justice system. It also has an increased focus on improving the safety of Koori families and communities, to be achieved through:

In 2012, an independent evaluation established that the AJA2 significantly improved justice outcomes for Koories in Victoria, and that the partnership structures have set a strong foundation for current achievements. There were lower numbers of Aboriginal people in prison, fewer offenders and fewer offences committed than expected (based on 2001-06 trends).

The evaluation also found that more work was needed to tackle the complex and intergenerational issues, and that this was best achieved by continuing the AJA into a third phase.

How has the AJA evolved over time?

The first AJA was the Victorian Government's direct response to the 1997 National Ministerial Summit, which reviewed the implementation of recommendations of the 1991 Royal Commission into Aboriginal Deaths in Custody. The AJA1 ran from 2000 to 2006 and laid the foundation for improved Koori justice outcomes in Victoria by developing robust partnerships and infrastructure, and putting in place a range of new Koori justice initiatives.

What is the Victorian Aboriginal Justice Agreement and how did it begin?

The Victorian Aboriginal Justice Agreement (AJA) is a formal agreement between the Victorian Government and the Koori community to work together to improve Koori justice outcomes.

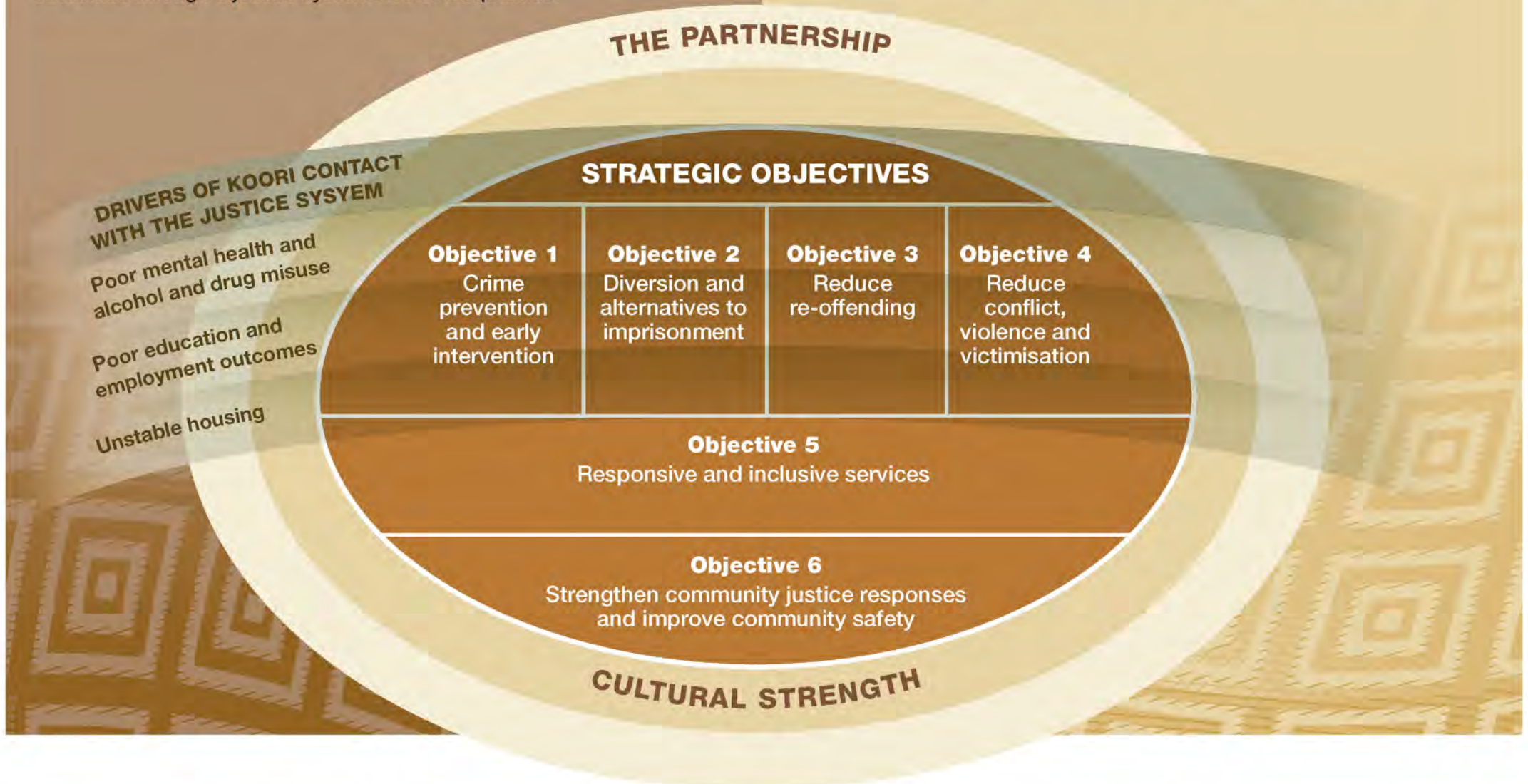
Target: By 2031, to close the gap in the rate of Aboriginal and non-Aboriginal people under youth and adult justice supervision.

Vision

To have a Koori community, as part of the broader Victorian community, living free from racism and discrimination, enjoying the same access to human, civil and legal rights, and experiencing the same justice outcomes through a justice system free of inequalities.

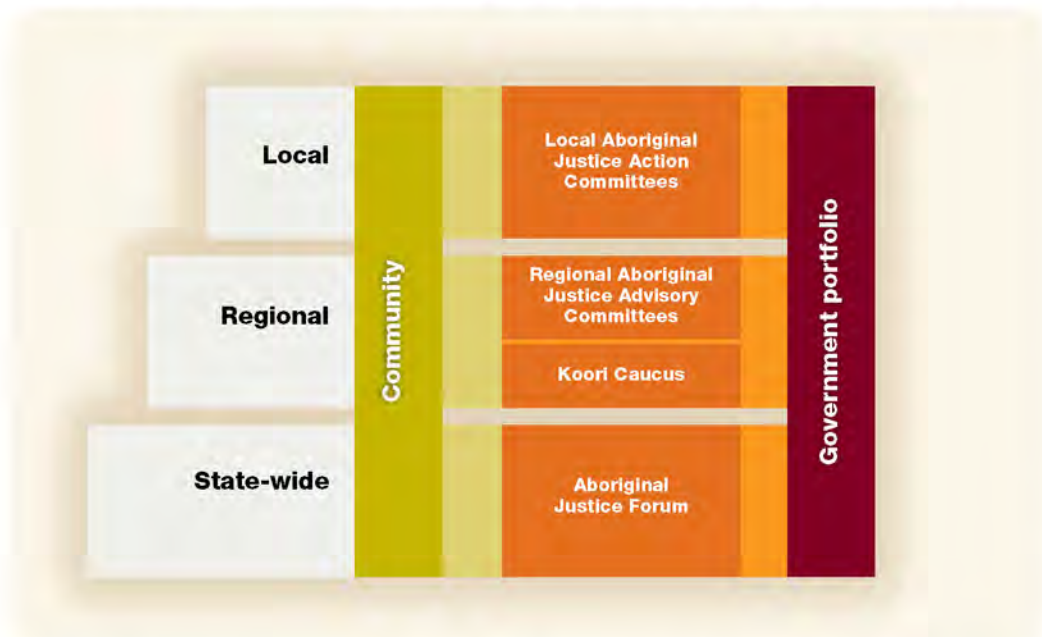
Aim

To minimise Koori over-representation in the criminal justice system by improving accessibility, utilisation and efficacy of justice-related programs and services, in partnership with the Koori community.



Partnership structures of the AJA

The partnership structures of the AJA bring together Koori community and Victorian Government stakeholders across local, regional and state-wide levels.



The **Aboriginal Justice Forum (AJF)** is the peak body for overseeing the development, implementation and monitoring of the AJA. It brings together senior representatives of the Victorian Government and members of the Koori community, and meets three times a year in metropolitan and regional locations throughout Victoria.

The **Koori Caucus** comprises the Koori community members of the AJF. The Koori Caucus meets six weeks prior to and the day before each AJF to shape the agenda, discuss key issues of interest and concern, share ideas and solve problems.

The nine **Regional Aboriginal Justice Advisory Committees (RAJACs)** bring together key Koori community members and justice agencies in each region. The RAJACs are crucial to the delivery of the AJA on the ground through the development of regional justice plans. An elected Koori Chairperson leads each of the nine RAJACs and represents it on the AJF.

The **Local Aboriginal Justice Action Committees (LAJACs)** bring together local Koori community members and justice representatives in selected locations experiencing poor justice outcomes. The LAJACs develop and guide responses to local justice issues, with representation at the AJF through the RAJACs.

What are the principles guiding AJA3?

All signatories to the AJA3 have agreed to:

1. Acknowledge diversity and the strength of connection by Koories to culture, family and country.
2. Acknowledge the impacts of dispossession.
3. Respect and honour the strength and resilience of Koori families.
4. Agree that Koories are entitled to equitable justice outcomes.
5. Be honest, transparent and accountable.
6. Ensure that arrest and imprisonment are sanctions of last resort.
7. Strengthen community justice responses.
8. Support partnerships built on genuine engagement and inclusion.
9. Coordinate a whole of government approach.
10. Strive for best practice.
11. Ensure that services meet the needs of Koories.

Examples of AJA programs and initiatives

Prevention and early intervention Frontline Youth Initiatives and Community Initiative Grant Programs Koori Early School Leaver Program and Youth Employment Service Koori Youth Justice Workers	Diversion: Police Victoria Police Aboriginal Community Liaison Officers Koori Youth Cautioning Program Aboriginal Community Justice Panels	Sentencing Koori Liaison Officers County Koori Court Magistrates Koori Courts Children's Koori Courts
Reducing conflict, violence and victimisation Koori Community Safety Grants Koori mediation model Koori Victims of Crime Assistance Tribunal Koori Victims Support Strategy	Diversion: Court Koori Youth Intensive Bail Support program Court diversion and support programs	Custodial Aboriginal Wellbeing Officers Koori justice mental health strategy Cultural strengthening programs Koori KONNECT program (transitional support)
	Diversion: Fines Sheriff's Aboriginal Liaison Officers Infringement Management and Enforcement Services and Koori Strategy	Non-custodial Wulgunggo Ngalu Learning Place Indigenous Community Corrections Officers Koori Offender Support and Mentoring Program Local Justice Workers
Responsive and inclusive services Mingu Gadhaba: Beginning Together Koori Inclusion Action Plan Koori Employment Strategy 2011-2015		
Stronger safer communities Community Safety Plans Place-based initiatives		