

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
LJWP	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)	
Overall: To reduce Koori overrepresentation in the justice system.		<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.
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 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.
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 (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.
Objective 3: Reduce Re-offending		<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.

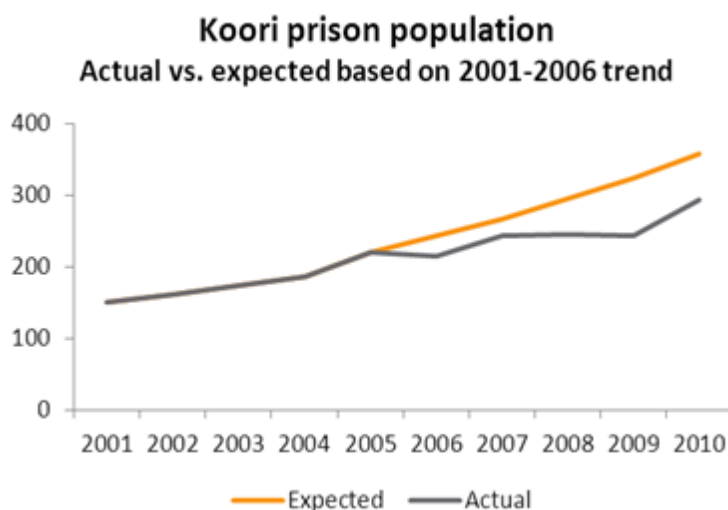
³ For a more detailed summary of progress against AJA2 objectives, see Appendix A. For detail on data sources and calculation methodology, see Appendix D. For a summary of stakeholders consulted in this evaluation, see Appendix C.

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

Objective of the AJA2	Progress to date (Nous assessment)	
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 or non-Koori • 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 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.
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 (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

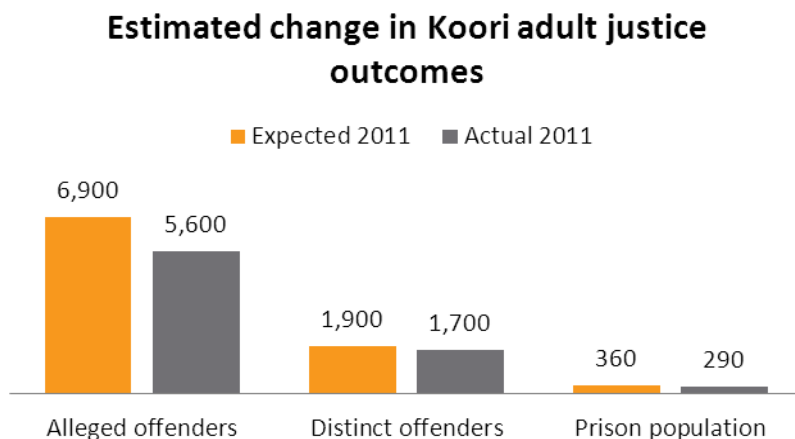


This is also true for outcomes earlier in an offender's journey through the justice system. The number of alleged offenders, which is the number of offences alleged to be attributed to Koories, has been lower

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
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 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
	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
	Wulunggo 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
	Konnnect (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 Victimisation. 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.

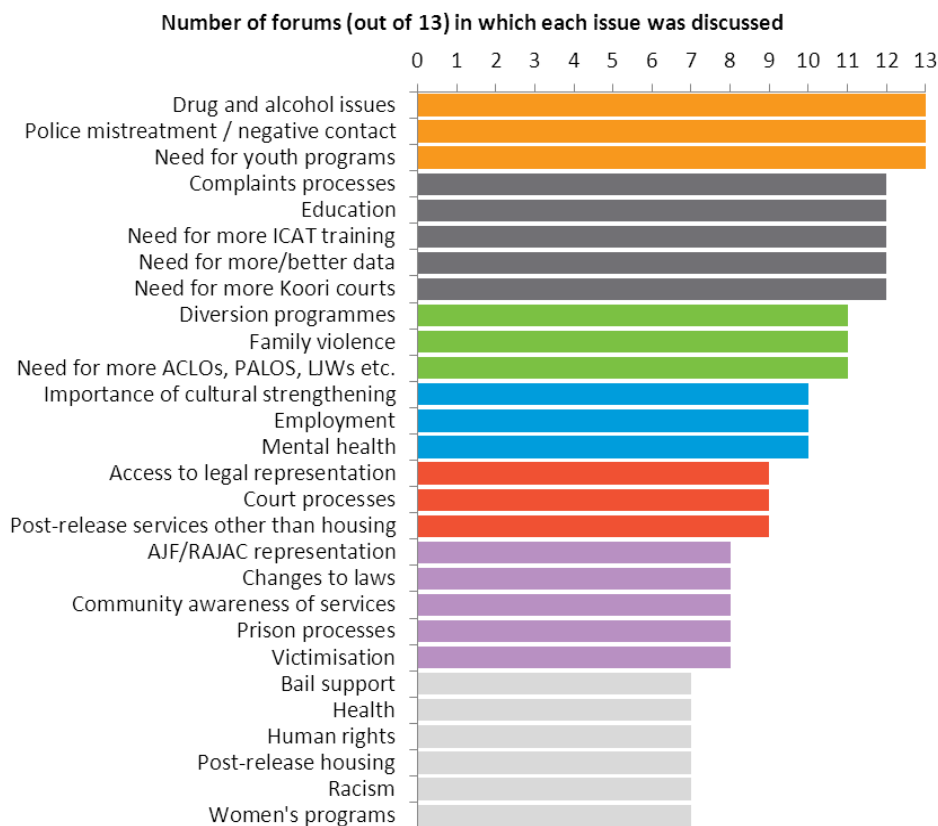
As discussed above in Section 4.2.1 above, the AJF has been central to the success of the AJA2. Without the AJF, the AJA2 could not have come about and would not have achieved any of the outcomes that it has achieved. The AJF is an extremely powerful mechanism for improving Koori justice outcomes. The 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.

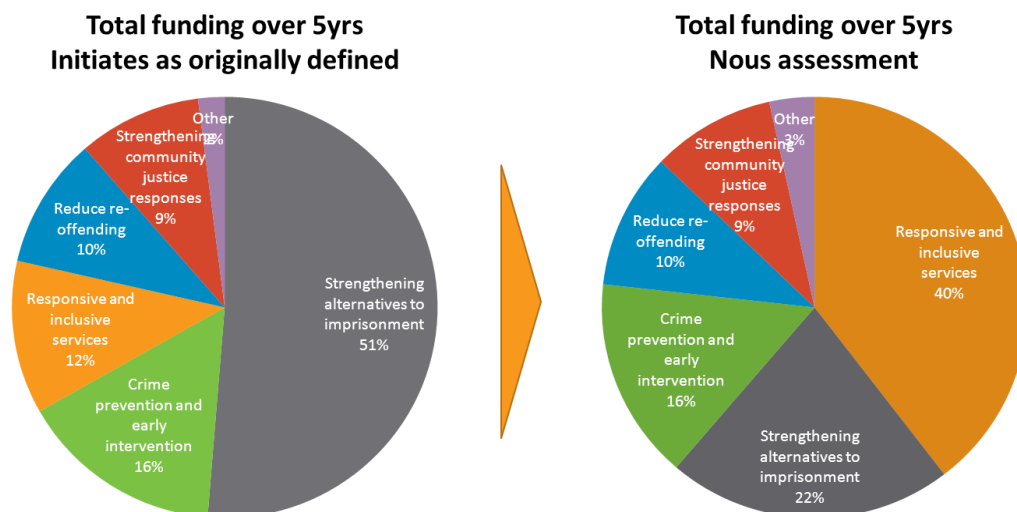
While 12% of funding for AJA2 was originally categorised under the ‘Responsive and inclusive services’ objective, Nous estimates that in fact around 40% of funding has been directed towards this objective. This is shown in Figure 4 below. It is important to note that these graphs only represent the primary

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, ACIPs, 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 ACLO, 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.

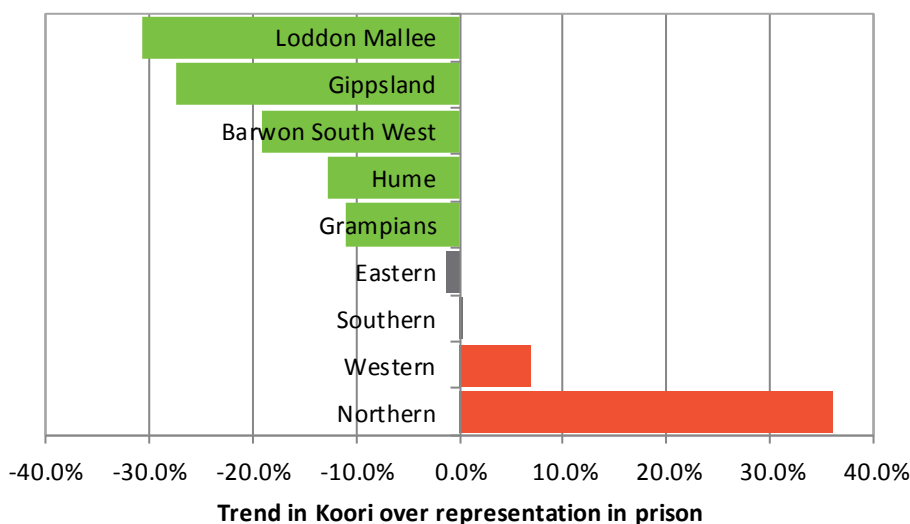
³⁷ Please see Appendix D for an explanation of data sources and calculation methodology. Data tables for quantitative indicators by region, sex and age can be found in Appendix E.

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

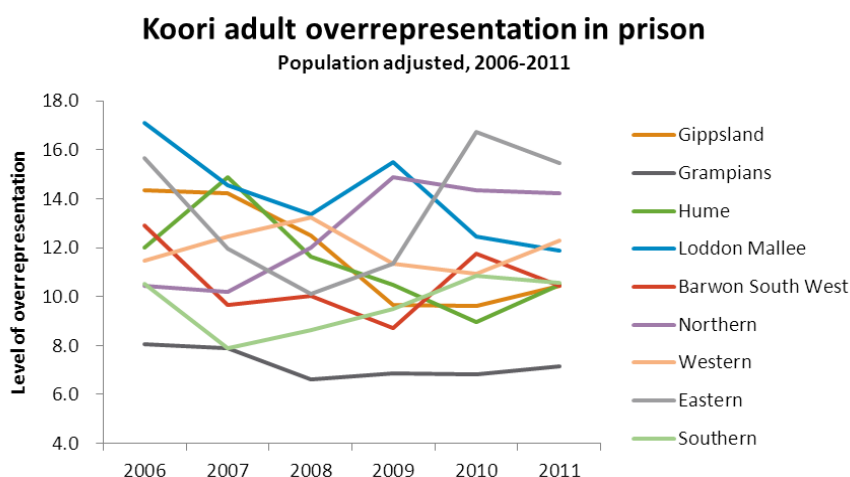
Metropolitan region – the region with the highest Koori population – has increased overrepresentation by over one third.

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.

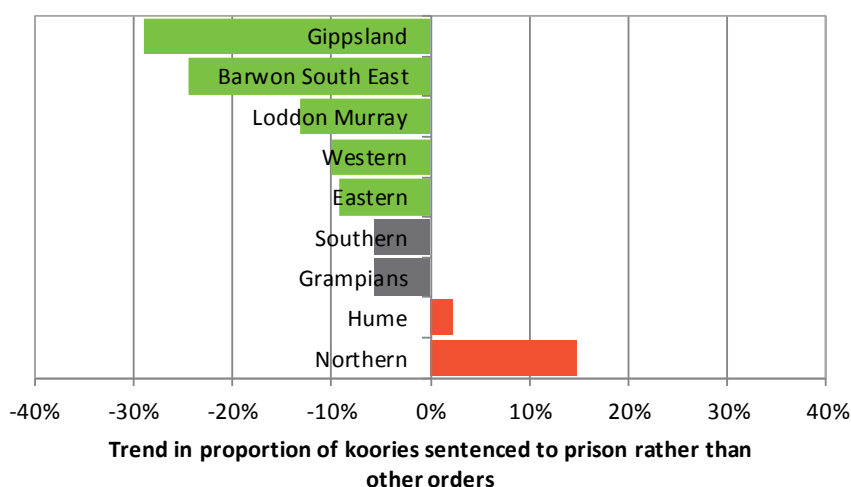
5.2.1 Changes in overrepresentation are largely explained by increased use of CBOs.

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.

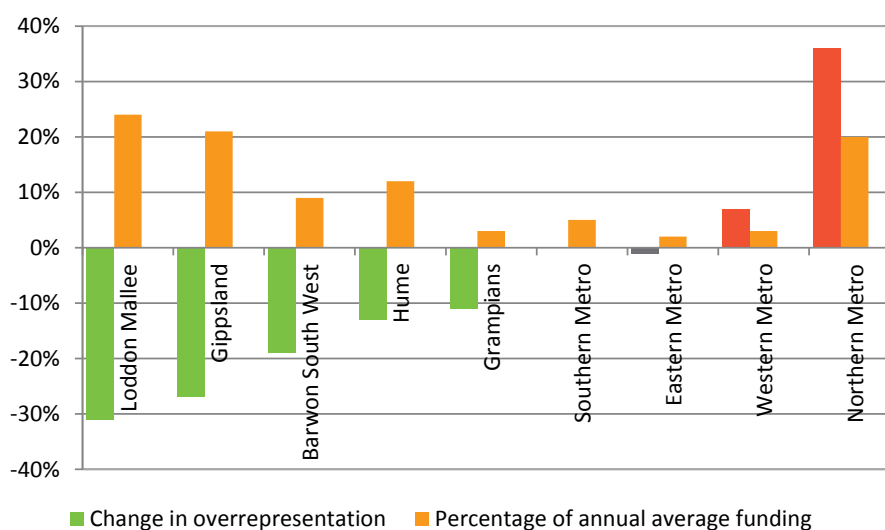
Our conclusion is that programs under AJA2 have contributed to a large portion of the improvements within regions. Not all outcomes have improved. This is not considered a failing of the AJF. This is based on the following:

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, ACJPs, 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.

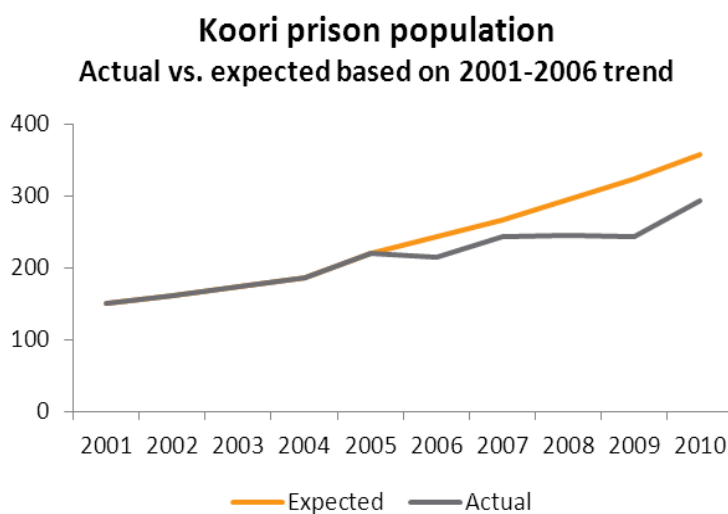
5.3 Without the AJA2, overrepresentation may have been higher.

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.

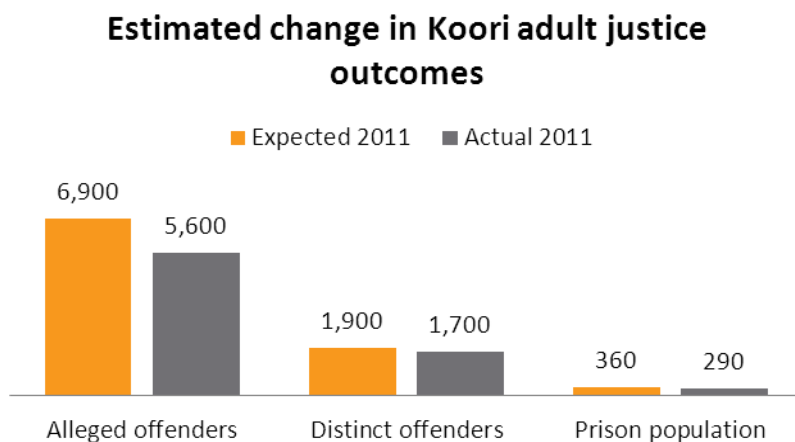
Figure 6: Koori prison population - actual vs. expected based on 2001-2006 trends



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.

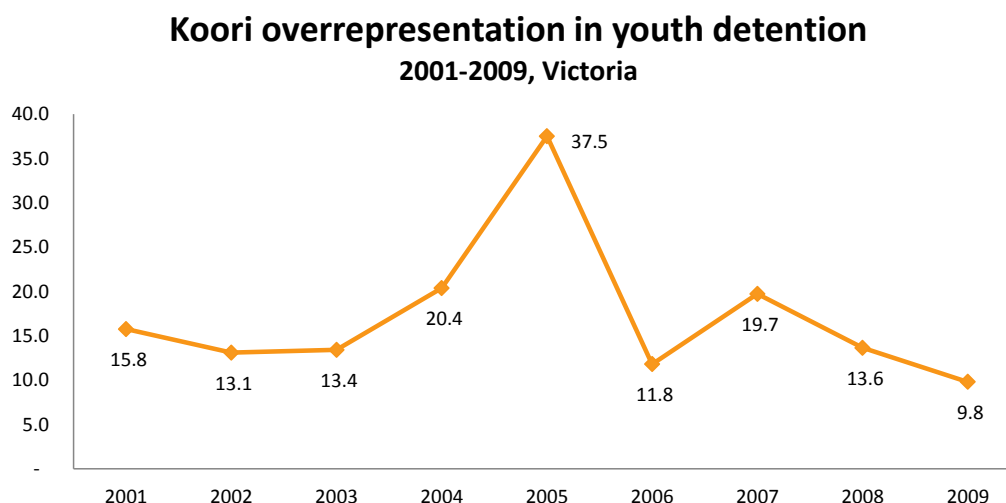
Also note that these changes, like the others in this report, are not statistically significant due to the small sample size.

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).

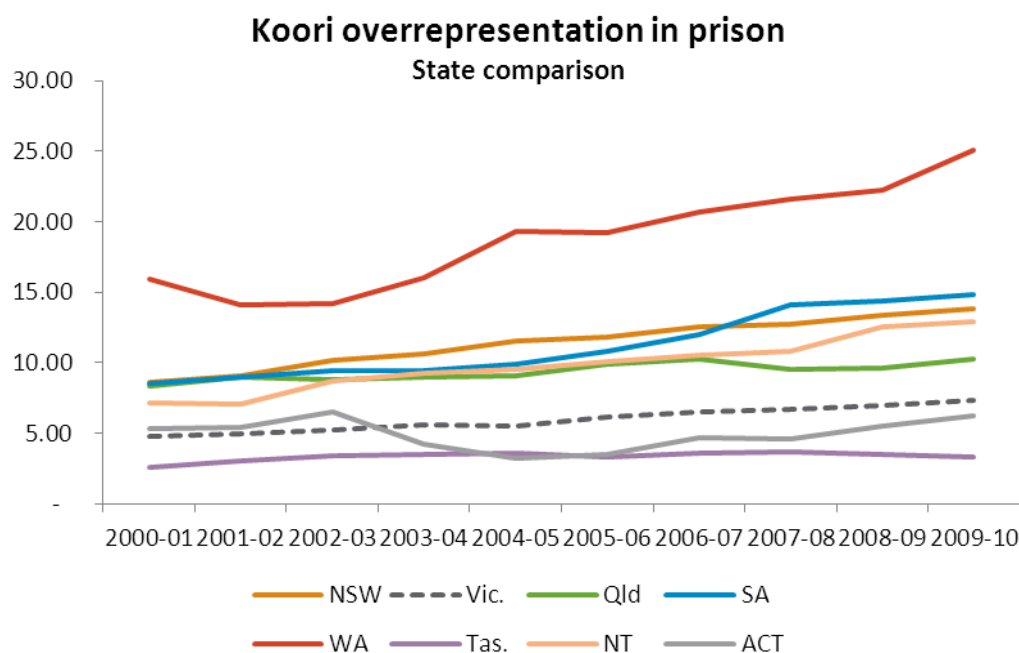
⁴⁵ Further discussion on data limitations can be found in Sections 4.2.6.1 and 9.1.2.1.

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.

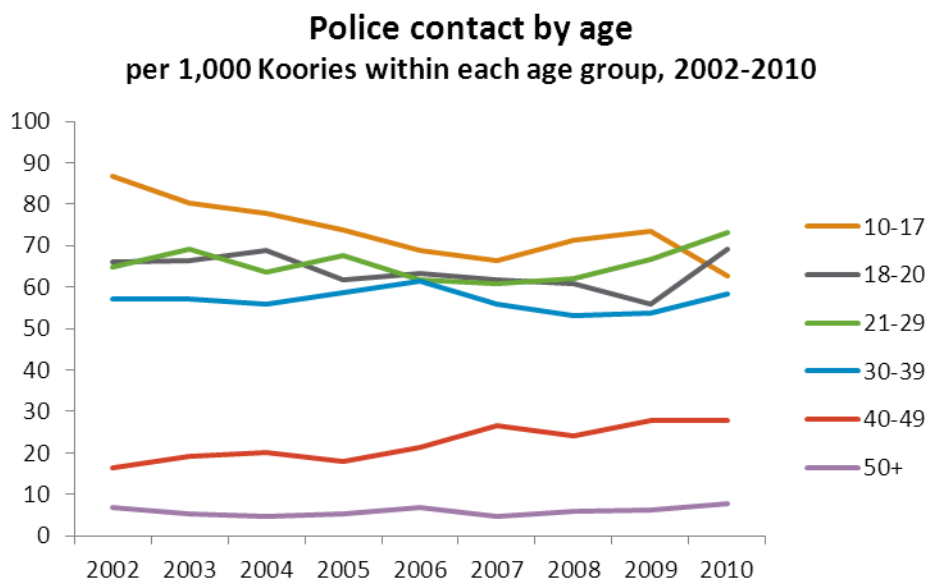
⁵⁶ Please refer to Section 3 for more detail on the AJA2 objectives. Progress against all objectives is summarised in Section 2.

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



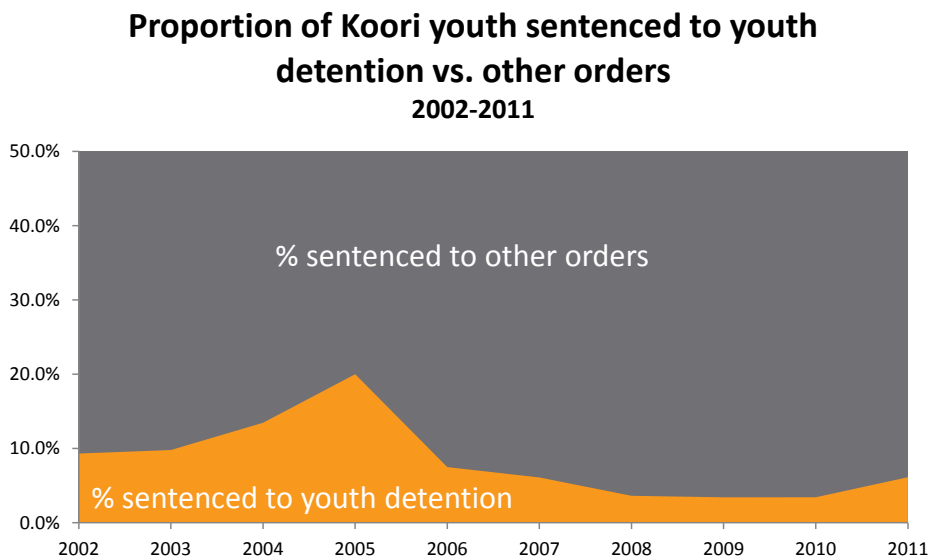
As has been noted previously, Police data is based on a subjective assessment of racial appearance, which may cause discrepancies across individual offenders, stations and years.

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)

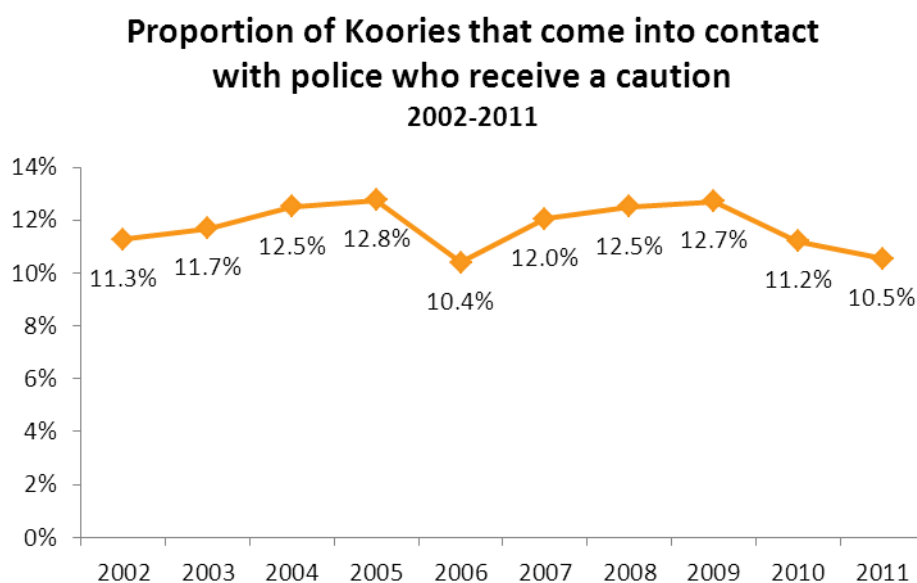
⁶¹ Source: SuccessWorks (2010)

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).

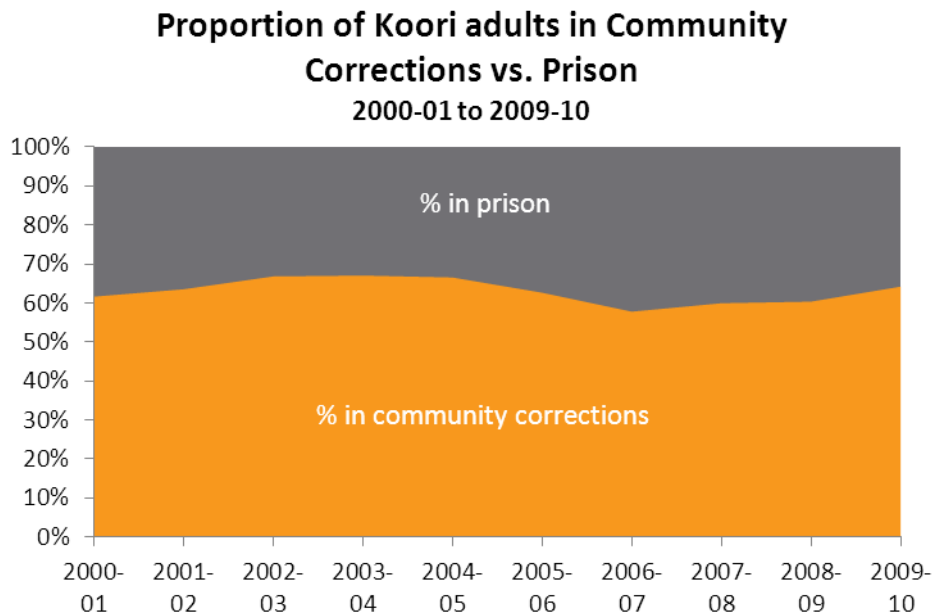
6.2.2 Koories are more likely to be sentenced to prison compared to community based orders than they were in 2005.

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



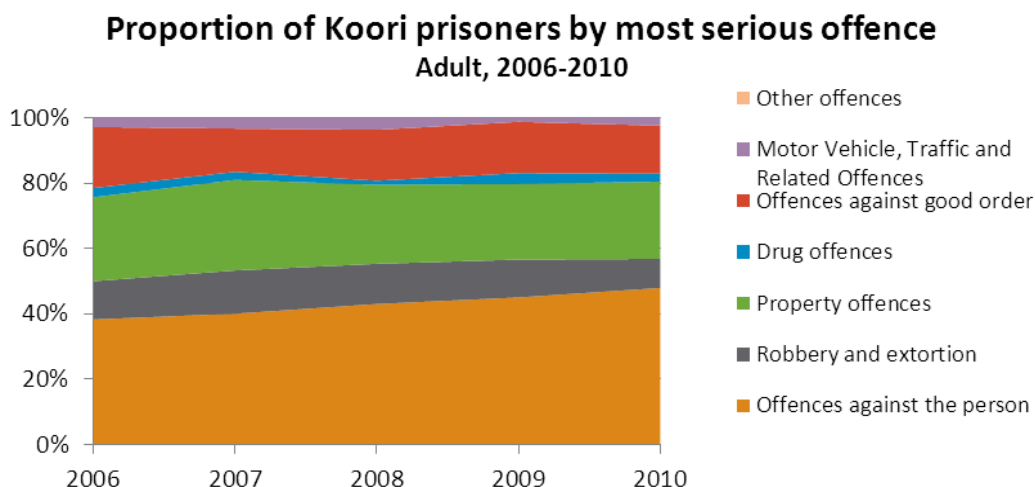
6.2.3 Changing offence profiles may be impacting results.

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

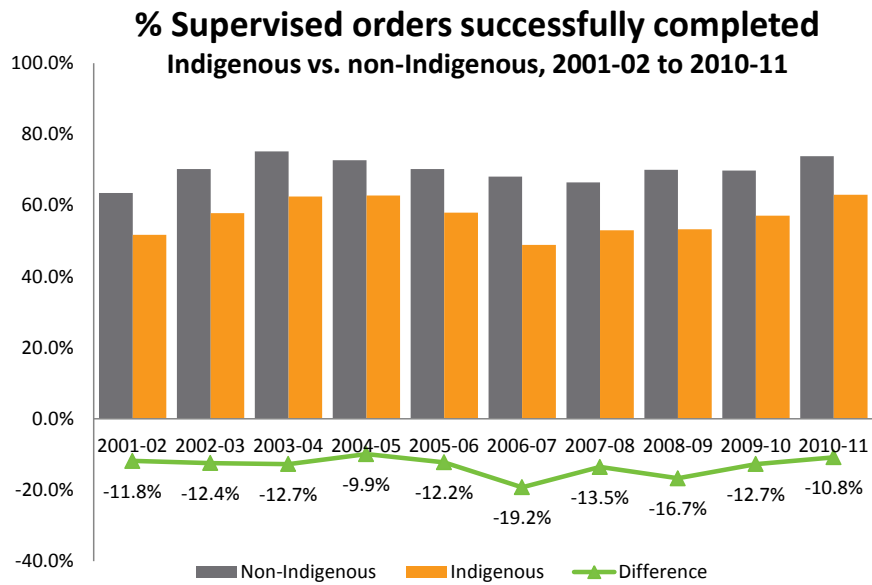
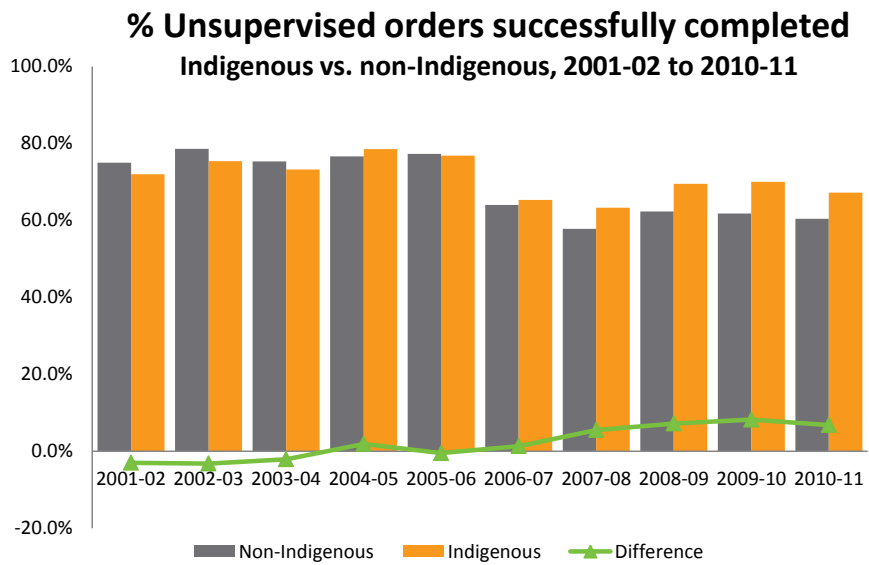


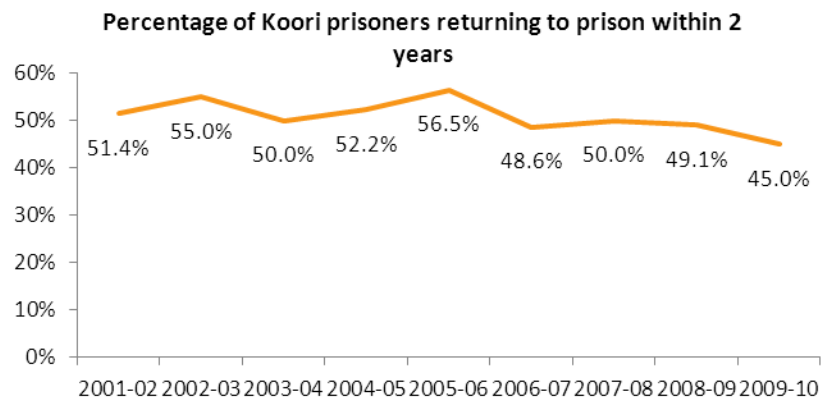
Figure 16: Unsupervised CBO completion rates, Indigenous vs. non-Indigenous 2001-02 to 2010-11



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 Victimisation 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.

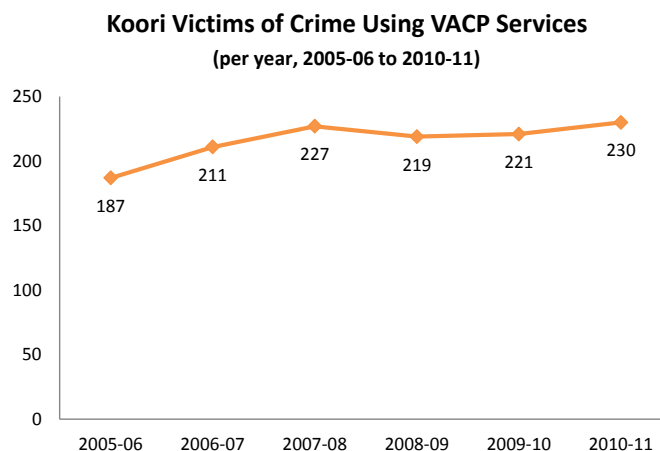
“The AJA2 raises the profile of victims and has helped drive real change in the services offered, how they are offered and the number of people they are offered to”. Service provider.

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 funded 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 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.

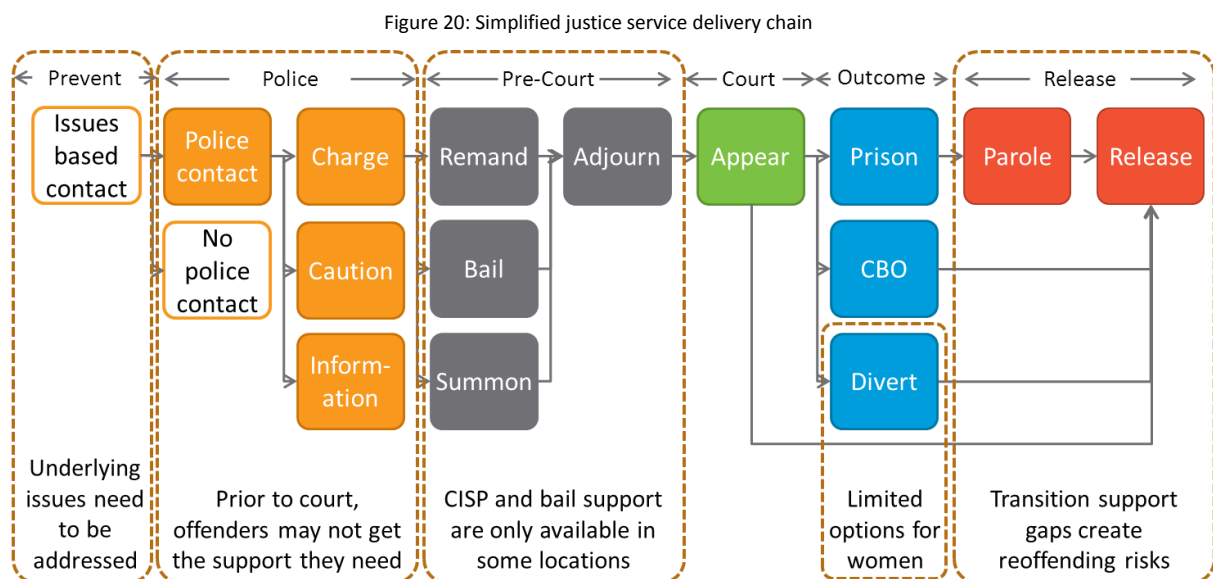
Some initiatives have been developed under the auspices of both the AJA and the 10 Year Plan including the Koori Family Violence Police Protocols Project, a partnership between Victoria Police and the Aboriginal Family Violence Prevention and Legal Service to improve responses to family violence incidents including victim support and referral. In addition there is cross member ship 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.

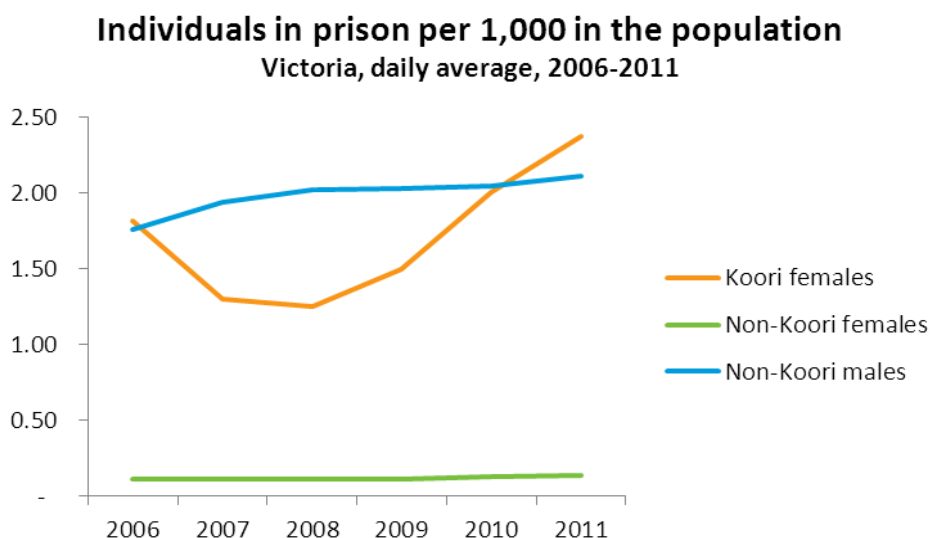
Despite these positive results, in many locations these services aren't available. There are also limited options for women. Recommendations for extending these programs are outlined in Section 9.2 below.

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

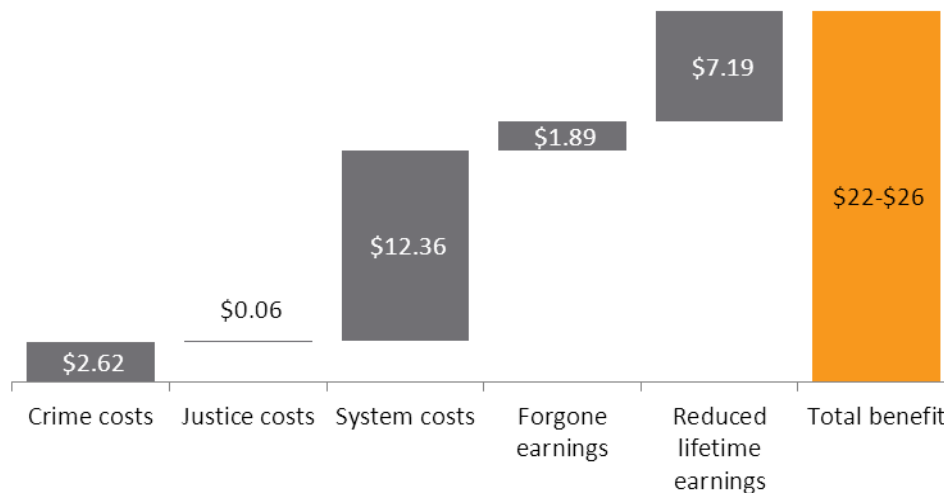
The benefit from AJA has been estimated using a social return on investment methodology (SROI). SROI is a high level assessment of the costs and benefits associated with a program. The detailed assumptions and methodology are outlined in Appendix F.

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
Planning and setting objectives 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.	<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.
Representation at RAJAC meetings In many cases, all key justice agencies send senior representatives to RAJAC meetings who can make decisions as required.	<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.
Community voice The RAJACs provide a critical voice for the community to raise and resolve justice issues.	<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. LINs, 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.
Action-orientation Many RAJACs record and follow up on actions, which contributes to what is achieved in the meetings and, by extension, in the region.	<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
Overlaps and misalignment 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.	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.
Funding duration 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.	Increase funding duration for Frontline and CIP projects.
Funding accountability As discussed in Section 6.1.3, accountability for project performance needs to be improved. This will become even	Ensure more robust and relevant monitoring and reporting of program outcomes as a condition of funding continuation.

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 AJF31.

“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 disadvantage”⁸³, 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
Overall Reduce Koori overrepresentation in the justice system.	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
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.	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
Diversion/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.	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.	
Responsive and inclusive services Make mainstream justice-related services more responsive and inclusive of the needs of the Koori community.	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. 	
Reducing victimisation Reduce the negative impact that high rates of victimisation has on Koori communities, families and individuals so that intergenerational contributors to offending are reduced.	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, ACJPs, 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?	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. Qualitatively, lessons learned from the AJA2 implementation align to other research in improving outcomes for Indigenous populations. In particular: <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?	The AJA2 intended to have broad impacts, including: <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. The report outlines significant progress in these areas, which in turn have positive flow-on effects, including: <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 These are discussed in more detail in the report.	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)

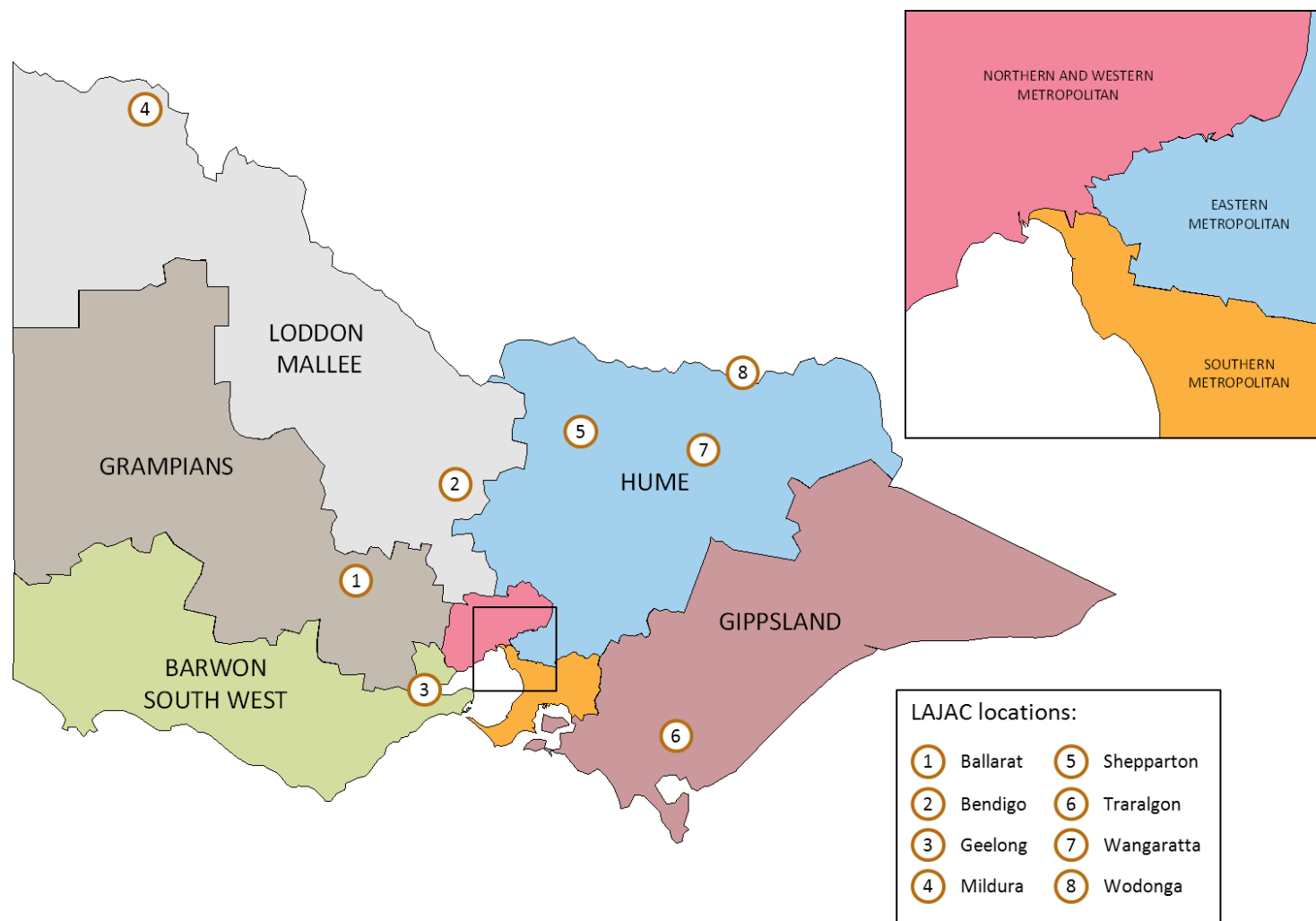
Local Aboriginal Justice Action Committees (LAJACs) have been established to develop close relationships and build trust with local Koori communities experiencing poor justice outcomes. The LAJACs are responsible for promoting and nourishing improved relationships, linkages and reconciliation between 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).	<ul style="list-style-type: none"> 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).	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> 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 acknowledged 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 Koories 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 Koories 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%

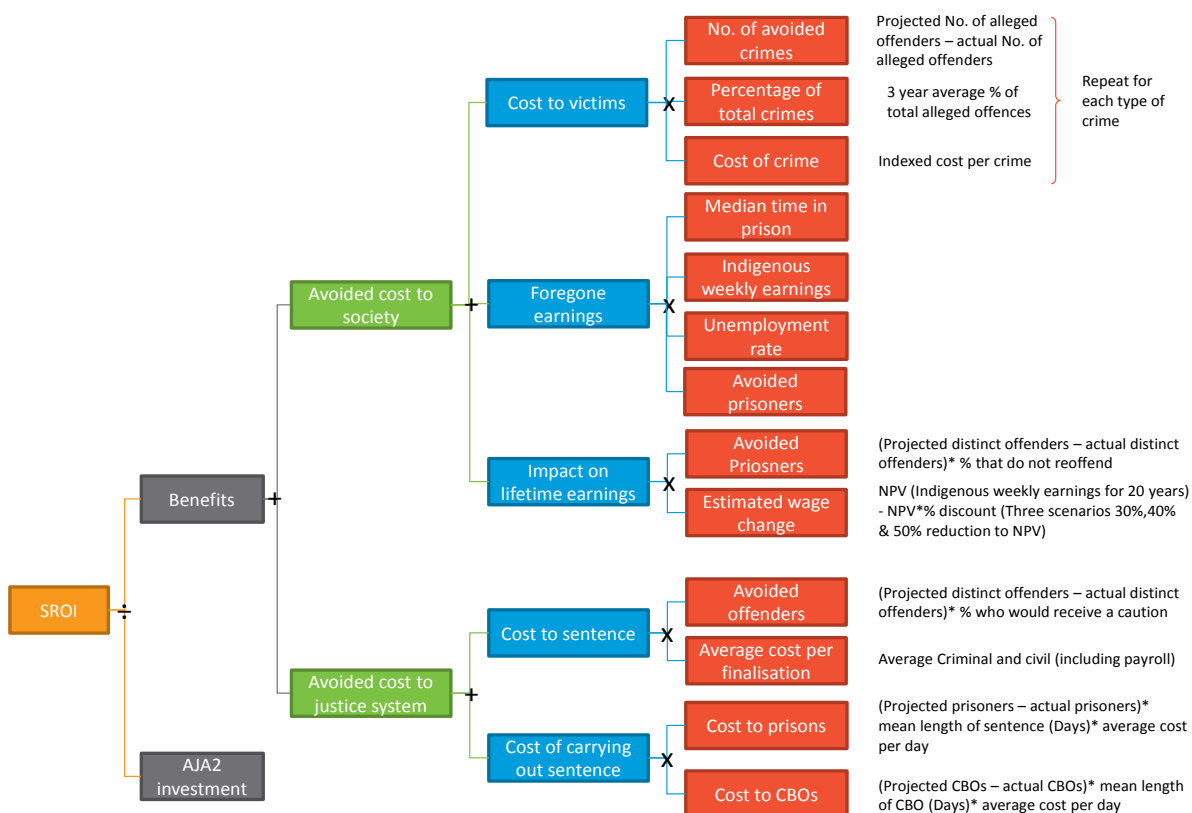
Appendix F Detailed SROI Methodology

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	Warrnambool	East Gippsland Latrobe		Greater Shepparton	Mildura Swan Hill		Hume		
Children's Koori Court					Mildura		Melbourne		
County Koori Court		Latrobe							
Koori Youth Justice Program**	Warrnambool	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	Warrnambool	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	Gippslan d	Grampia ns	Hume	Loddon Mallee	Eastern Metropolit an	Northern Metropolit an	Southern Metropolit an	Western Metropolit an
Local Justice Worker Program	Warrnambo ol/ Greater Geelong	East Gippslan d Baw Baw	Horsham	Wodonga	Campasp e Greater Bendigo Swan Hill				Maribyrnon g
VALS Koori Court Initiative (located where Koori courts are)	Warrnambo ol	East Gippslan d Latrobe		Greater Sheppart on	Mildura Swan Hill		Hume Melbourne		
Koori Offender Support and Mentoring Program		East Gippslan d Latrobe		Greater Sheppart on	Mildura		Darebin		
Wulgunggo Ngalu Learning Place		Wellingto n*							
Indigenous Community Corrections Officer Program	Warrnambo ol	Latrobe		Greater Sheppart on	Greater Bendigo Mildura		Hume		
Mainstream Courts- Aboriginal Community Engageme nt 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 Gippslan d		Greater Sheppart on			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									

AJA2 Project/ Initiative and Strategic Objective	RAJAC Region, and specific Local Government Area (LGA) located								
	Barwon Southwest	Gippslan d	Grampia ns	Hume	Loddon Mallee	Eastern Metropolit an	Northern Metropolit an	Southern Metropolit an	Western Metropolit an
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 Independe nt Prison Visitor Program	Run in various prison locations across the state where Koori prisoners are located***								
Koori Recruitmen t and Career Developme nt 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 Engageme nt Program	State-wide								
Aboriginal Community Justice Panels	Greater Geelong Warrnambo ol (x2)		Ballarat Horsham	Sheppart on Wodonga	Campasp e Greater Bendigo Mildura Swan Hill (x2)			Greater Dandenong	
Strengthening community justice responses									
VAJAC	State-wide								
RAJACs	One RAJAC located in each RAJAC Region								
LAJACs	Warrnambo ol Glenelg Greater Geelong	East Gippslan d Latrobe	Horsham	Wodonga	Mildura Swan Hill (x2) Greater Bendigo				
Indigenous Mediator Proogram	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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