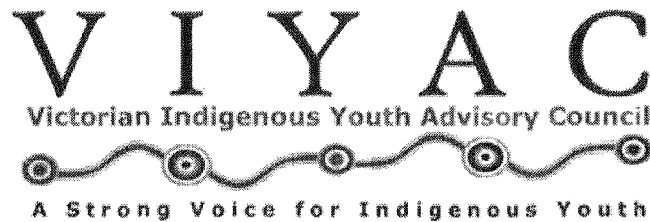


Submission No 62.

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- 4 FEB 2010

BY: ATSIA



Committee Secretary
Standing Committee on Aboriginal and Torres Strait Islander Affairs
PO Box 6021
Parliament House
Canberra ACT 2600
Australia

Wednesday, February 3, 2010

Dear Committee Secretary

RE – Inquiry into the high level of involvement of Indigenous juveniles and young adults in the criminal justice system.

The Victorian Indigenous Youth Advisory Council (VIYAC) is a state-wide network of Indigenous young people between the ages of 12 – 25 who are living in Victoria. By proactively advocating and raising awareness of the issues affecting Indigenous young people, the VIYAC provides government and community organisations with advice they need to help address those issues. The VIYAC aims to empower Indigenous young people who become involved to be valued members of their communities by developing their skills and capacities. The VIYAC is funded by Aboriginal Affairs Victoria and is auspiced by the Youth Affairs Council of Victoria, the peak body for the youth sector. Further information about the VIYAC can be found at www.viyac.org.au

I am writing to request that the Committee consider allocating time in the public hearings process for the VIYAC to contribute to the *Inquiry into the high level of involvement of Indigenous juveniles and young adults in the criminal justice system*.

In Victoria, the Department of Justice's Koorie Justice Unit (KJU)¹ was developed to lead and coordinate the development and delivery of the Victorian Aboriginal Justice

¹For more information on the Koorie Justice Unit visit <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Your+Rights/Indigenous+Victorians/Aboriginal+Justice/JUSTICE+-+Koori+Justice+-+HOME>

Agreement (AJA)², a partnership between the Victorian Government and the Koorie Community. The KJU sits within the Community Operations and Strategy division of the Department of Justice and acts on behalf of the Aboriginal Justice Forum, the peak body overseeing the implementation of the AJA. The VIYAC are a member of the AJF to provide a voice for Indigenous young people living in Victoria on the issues of justice and other related areas.

More than half of the Indigenous population of Victoria is under the age of 25.³ The VIYAC believes that consultation with Indigenous young people directly is a critical element of the development of effective, relevant policy and programs to improve outcomes for Indigenous young people. The VIYAC aims to bring forward the voice of Indigenous young people to Government and to Indigenous and non-Indigenous organisations who are developing programs, initiatives and policy that will directly affect Indigenous young people.

One of the main issues that VIYAC is concerned about is the overrepresentation of Indigenous young people in the justice system. In 2009 the number of times Koorie youth (aged 10 – 17) are more likely than non-Indigenous youth to be processed by police is 3.11 times (per year). The number of times Koorie people are more likely than non-Indigenous people to be processed by police (per year) is 4.18.⁴ Also in 2009 the percentage of Koorie youth cautioned when processed by police (per year) was 34.26% compared to the percentage of non-Koorie youth cautioned when processed by police (per year) which was 56.67%.⁵

We believe the contributing factors to the high number of overrepresentation are chronic disadvantage, lack of support in the education system, alcohol and substance abuse, dysfunctional families and family violence, lack of support to transition from education to the workforce, lack of opportunities for young people's voices to be heard, lack of understanding of transgenerational trauma and the way in which the criminal justice system deals with Indigenous young people.

The VIYAC has aimed to address the issue of Indigenous young people being overrepresented in the criminal justice system by developing the VIYAC Community Spirit Police Award. There is a lot of negativity around the relationship between Indigenous young people and Victoria Police. The award is an effort by the VIYAC to recognise and promote the positive work of police members demonstrating great community spirit when working with Indigenous young people and their communities.

²Information about the Aboriginal Justice Agreement can be found at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Your+Rights/Indigenous+Victorians/Aboriginal+Justice/JUSTICE++Victorian+Aboriginal+Justice+Agreement+-+HOME>

³ 2006, ABS, Census of Population and Housing

⁴ Data provided by Koorie Justice Unit to Aboriginal Justice Forum.

Note: Overrepresentation rate is the ratio of Indigenous vrs non-Indigenous rates per 100,000 of relevant population..

⁵ Data provided by Koorie Justice Unit to Aboriginal Justice Forum.

Note: Overrepresentation rate is the ratio of Indigenous vrs non-Indigenous rates per 100,000 of relevant population.

We have held the award event twice to date and are holding it again on the 25th of February 2010.

The VIYAC strongly encourages policy makers to provide opportunities for Indigenous young people to feed into policy & program development, to ensure it will be affective in reaching the desired outcomes. The VIYAC would like the opportunity to be heard directly by the Committee in the public hearings process. This would provide the committee with an opportunity to have a direct dialogue with Indigenous young people on the broad and complex issues the Committee is grappling with in the Inquiry. Should you wish to discuss this letter further please contact me on (03) 9267 3788.

Yours Sincerely

Tim Kanoa
VIYAC State Coordinator