

- ▶ better education outcomes for Indigenous students through positive relationships between schools and Indigenous communities, teacher development and recognition, and improved student attendance
- ▶ improving the transition for education to the workforce through initiatives such as increasing the uptake of Indigenous apprentices and assisting young people in remote and regional areas to obtain driving licences
- ▶ improving interpreting and legal services for Indigenous youth,
- ▶ cultural awareness and diversion training for police, and increased Indigenous employment with police
- ▶ alternative sentencing options and pre-court conferencing
- ▶ parliamentary Indigenous representation and an Indigenous Law and Justice Advisory Body
- ▶ building Indigenous capacity in program development and delivery, and
- ▶ expanding data collections, improving government policy and coordination, and sustained and flexible funding of Indigenous offender programs.

WHAT HAPPENS NEXT?

The Committee has tabled the report in the House of Representatives. Most of the recommendations in the report were to the Commonwealth Government to take action.

Such action is the responsibility of the Executive Government rather than the Parliament.

The Government will respond to the Committee report by way of a written statement to the House of

Representatives. The 43rd Parliament introduced a 6 month Government response timeframe to which every report should be responded to by the Executive Government.

The Government may accept, or partially accept, the Committee's recommendations, and announce its intention to take certain action. Some recommendations may be rejected and the Government may announce that it wishes to give further consideration to others. The Government may implement recommendations made by the Committee through changes in legislation or government administration or policy without publishing a formal response.

The government response will be published on the Committee's web site.

FURTHER INFORMATION

For more information regarding the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs and the inquiry into Indigenous youth in the criminal justice system please contact:

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A full copy of the report is available on the web at

<http://www.aph.gov.au/atsia>



HOUSE OF REPRESENTATIVES STANDING COMMITTEE
 ON ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS

DOING TIME – TIME FOR DOING

*Indigenous youth in the
 criminal justice system*

*This pamphlet provides an overview of the process
 and the findings from the inquiry into the high level
 of involvement of Indigenous juveniles and young
 adults in the criminal justice system.*

June 2011

THE INQUIRY INTO INDIGENOUS YOUTH IN THE CRIMINAL JUSTICE SYSTEM

The House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs consists of seven Members of Parliament.

On 19 November 2009 the Minister for Families, Housing, Community Services and Indigenous Affairs requested the Committee inquire and report into the high level of involvement of Indigenous juveniles and young adults in the criminal justice system.

The Inquiry lapsed when the House of Representatives was dissolved on Monday 19 July 2010 for a general election which was held on Saturday 21 August 2010.

On 8 November 2010, the Minister, the Hon. Jenny Macklin MP, re-referred the inquiry to the Committee for completion. With a particular focus on prevention and early intervention, the Committee was asked to investigate and report on:

- ▶ how the development of social norms and behaviours for Indigenous juveniles and young adults can lead to positive social engagement
- ▶ the impact that alcohol use and other substance abuse has on the level of Indigenous juvenile and young adult involvement in the criminal justice system and how health and justice authorities can work together to address this
- ▶ any initiatives which would improve the effectiveness of the education system in contributing to reducing the levels of involvement of Indigenous juveniles and young adults with the criminal justice system
- ▶ the effectiveness of arrangements for transitioning from education to work and how the effectiveness of the 'learn or earn' concept can be maximised

- ▶ best practice examples of programs that support diversion of Indigenous people from juvenile detention centres and crime, and provide support for those returning from such centres
- ▶ the scope for the clearer responsibilities within and between government jurisdictions to achieve better co-ordinated and targeted service provision for Indigenous juveniles and young adults in the justice system, and
- ▶ the extent to which current preventative programs across government jurisdictions are aligned against common goals to improve the health and emotional well-being of Indigenous adolescents, any gaps or duplication in effort, and recommendations for their modification or enhancement.

RECEIVING EVIDENCE

Through the evidence gathered during the inquiry, the Committee became more informed about the environmental context, interdependencies and complexities affecting the high level of involvement of Indigenous youth in the criminal justice system.

The Committee received 110 submissions from a wide range of sources including Commonwealth, state and territory government departments, representatives of the judiciary, police, Indigenous legal services, non-profit organisations, Indigenous rights and advocacy groups, Indigenous representative organisations and academics.

The Committee conducted 18 public hearings in Canberra, Sydney, Adelaide, Cairns, Darwin, Brisbane, Fitzroy Crossing, Perth and Melbourne. A transcript of evidence was taken at every public hearing and was published on the web.

During the inquiry, the Committee visited three detention centres – Juniperina Juvenile Justice Centre (Sydney, NSW), Orana Juvenile Justice Centre (Dubbo, NSW),

and Brisbane Youth Detention Centre (QLD) – and held discussions with staff, youth and visitors.

The Committee also attended a delegation to New Zealand and met with a range of people and representatives of organisations aiming to reduce the overrepresentation of Maori youth in the criminal justice system. Observations from this delegation visit informed some of the Committee responses in the report.

A list of submissions, public hearings and transcripts of evidence can be accessed at:

<http://www.aph.gov.au/atsia>

FINDINGS AND RECOMMENDATIONS

The Committee was concerned to find that the overrepresentation of Indigenous juveniles and young adults is worse now than it was 20 years ago when the Royal Commission into Aboriginal Deaths in Custody report was published. This escalating problem has reached a crisis point and the Committee made 40 recommendations to government in key areas such as:

- ▶ a National Partnership Agreement, with specific justice targets, dedicated to the Safe Communities Building Block under the Closing the Gap strategy
- ▶ strengthening positive social norms through families, communities, mentoring and sport and recreation
- ▶ accommodation options for Indigenous youth, including those who have been granted bail
- ▶ holistic health and wellbeing programs which involve family, mentors and Indigenous leaders
- ▶ addressing hearing impairments amongst Indigenous youth
- ▶ addressing alcohol and substance abuse and Foetal Alcohol Spectrum Disorder in Indigenous communities