

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS ATTORNEY-  
GENERAL'S DEPARTMENT

**Group 2**

**Program 1.5**

**Question No. 132**

**Senator Singh asked the following question at the hearing on 24 February 2014:**

- 1) The 2013 Report of the Australian Human Rights Commission titled Social Justice and Native Title clearly shows that Indigenous Australians are still much more likely than other Australians to have contact with the justice system. In particular, that Report highlights that rates of incarceration for Aboriginal and Torres Strait Islanders are increasing, with Aboriginal and Torres Strait Islander children now 25 times more likely to be in detention than their non-Indigenous counterparts. Does the Attorney-General's Department regard increasing Indigenous incarceration rates as a systemic issue requiring policy solutions?
- 2) What is the projected impact of new mandatory sentencing laws in Queensland and the Northern Territory on Indigenous incarceration rates?
- 3) Did the Attorney-General's Department consider the increasing incarceration rates in Indigenous communities, and the increasing demand for legal services in Indigenous communities caused by the new law and order policies of the Queensland, Northern Territory and New South Wales governments before advising on the decision to cut Aboriginal legal assistance?

**The answer to the honourable senator's question is as follows:**

- 1) The Government is committed to working with States and Territories to develop strategies to improve justice and community safety outcomes for all Australians. The Department of the Prime Minister and Cabinet is the responsible agency for Indigenous affairs.
- 2) The criminal justice systems are primarily a matter for States and Territories. The department is unable to project the impact of the changes to legislation in Queensland and the Northern Territory. As noted above, the Department of the Prime Minister and Cabinet is now responsible for Indigenous affairs.
- 3) This decision implements an election commitment.