

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

Group: 2

Program: 1.6

Question No. BE15/063

Senator Wright asked the following written question from the 27 and 28 May 2015 hearing:

1. Can the Department advise the Committee of the level Aboriginal and Torres Strait Islander imprisonment compared with non-Indigenous imprisonment?
2. It has been reported that 60% of Indigenous people in prison or on remand have been convicted or charged with a violent assault, and around 80% of Indigenous people imprisoned are returning to prison. Has the Government adopted any specific initiatives to address the rate of violent crime and imprisonment within Indigenous communities?
3. Can the Department advise what is the annual cost to the criminal justice system as a whole of the high rate of Indigenous crime and imprisonment, and whether there has been any evaluation in Australia or overseas of imprisonment as a measure to reduce crime?
4. Is the Government aware of any justice reinvestment trials in Australia and have any Commonwealth funds been allocated to alternative justice measures?

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

1. This is a state and territory matter.
2. This is a matter for the Department of the Prime Minister and Cabinet because it has responsibility for Indigenous policy and programmes.
3. As state and territory governments are responsible for the criminal justice systems in each jurisdiction, the Commonwealth is unable to provide the annual cost of Indigenous offending and imprisonment.
4. Criminal law enforcement is primarily a matter for the states and territories, with each managing its own criminal justice system, including the administration of police, courts and prisons. While justice systems vary in each state and territory, statutory schemes typically provide for a range of alternative justice measures.

The Commonwealth funds a range of justice related programmes such as the Indigenous Legal Assistance Programme, the Safer Suburbs Programme and the Safer Streets Programme.

In June 2013, one-off additional funding of \$20,000 was provided through the Indigenous Legal Assistance Programme to the Aboriginal Legal Service (NSW/ACT) to support a justice re-investment project in Bourke.

Under the Indigenous Advancement Strategy, administered by the Department of the Prime Minister and Cabinet, the Government is funding a range of activities across Australia to address the rate of violent crime and imprisonment within Indigenous communities. Further questions on this should be directed to the department of Prime Minister and Cabinet.