

ACT ABORIGINAL AND TORRES STRAIT ISLANDER AGREEMENT 2019-2028

Delivering equitable outcomes for
Aboriginal and Torres Strait Islander peoples

PHASE TWO FOCUS AREA ACTION PLAN

July 2022 – December 2024

FOCUS AREA:

Justice

QUALITY LIFE OUTCOME:

Aboriginal and Torres Strait Islander peoples, their families and communities thrive in a safe environment and have equitable access to justice and culturally safe restorative justice, prevention, and diversion programs.

WE WILL ACHIEVE THIS OUTCOME BY FOCUSING ON:

- Working with the Aboriginal and Torres Strait Islander community to end the cycle of engagement with the ACT criminal justice system before it starts by diverting Aboriginal and Torres Strait Islander young people to wrap around supports, avoiding the potential reinforcing trauma of engaging with the criminal justice system.
- Reinvesting in the criminal justice system in a manner that reduces engagement with Aboriginal and Torres Strait Islander peoples, for both those that have previously engaged with the system and for those that have not.
- Focusing on supporting Aboriginal and Torres Strait Islander peoples to transition out of detention in order to reduce recidivism.
- Where Aboriginal and Torres Strait Islander community engagement with the criminal justice occurs, provide fair and equitable treatment without discrimination, providing access to culturally appropriate supports where available.

CLOSING THE GAP TARGETS

- By 2031, reduce the rate of incarceration of Aboriginal and Torres Strait Islander peoples to achieve parity with the rate of incarceration of non-Indigenous people.
- By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30 per cent.

ACT HEADLINE INDICATORS

- Decrease in rate of return to custody for adults within two years.
- Decrease in adult imprisonment.
- Increase in 18-25 year olds referred to restorative justice.
- Decrease in the detention of young people.



PHASE-BASED QUALITATIVE STATEMENTS

Closing off on Phase One implementation

While some key actions have been completed, work towards many of the Phase One actions in the Justice focus area are still in progress, and this work will continue to be advanced in parallel to implementation of the Phase Two Action Plan. In addition, some actions under Phase One represent commitments to ongoing work. Full detail on the status of the actions under Phase One is available on the Community Services Directorate website under the section on Aboriginal and Torres Strait Islander Affairs Policy Development.

Successes of the Agreement that are evident at the end of Phase One include delivering more opportunities for young people to participate in culturally safe, restorative justice practices; supporting Aboriginal and Torres Strait Islander peoples post release to engage with their community and have access to appropriate housing, healthcare, education, and employment; and establishing partnerships across the ACT Government to develop activities and initiatives on Country to promote health and wellbeing and improve justice outcomes.

To be achieved in Phase Two implementation

By the end of Phase Two implementation:

- reduced contact between Aboriginal and Torres Strait Islander peoples and the criminal justice system, and where contact occurs increase culturally appropriate interactions, encourage connection to community, and equips Aboriginal and Torres Strait Islander peoples with the tools to thrive outside of the system.
- by early 2024, commence implementing the raising the minimum age of criminal responsibility for young people from 10 years of age, to reduce the engagement of Aboriginal and Torres Strait Islander young people in the criminal justice system.

PRIORITY ACTIONS

New Priority Actions for Phase Two Implementation



Action Number	Priority Actions
1	Increase the accessibility of Aboriginal and Torres Strait Islander crime and justice data for use by the local community and other interested persons, to provide evidence for informing programs and facilitate monitoring of outcomes for the local Aboriginal and Torres Strait Islander community.
2	Deliver an Evaluation Framework of the impact of Justice Reinvestment/Reducing Recidivism by 25% by 2025 (RR25by25) programs; with a focus on programs to reduce overrepresentation of Aboriginal and Torres Strait Islander peoples in the criminal justice system.
3	Implement Intensive Case Management to support Aboriginal and Torres Strait Islander peoples' post-release; to increase successful rehabilitation and reintegration into their community and enable access to appropriate housing, healthcare, education, and employment.
4	Consult with the Aboriginal and Torres Strait Islander community on the development of actions for inclusion in the Second Action Plan (2023-2027) for the <i>ACT Disability Justice Strategy</i> .
5	Introduce legislation and identify the scope of services required to support raising the minimum age of criminal responsibility for young people from 10 years of age, to reduce the engagement of Aboriginal and Torres Strait Islander young people in the criminal justice system and provide better support services.
6	Implement agreed recommendations from the Ombudsman report on <i>ACT Policing's administrative framework for engagement with the ACT Aboriginal and Torres Strait Islander community</i> that relate to Aboriginal and Torres Strait Islander peoples.
7	Engage with Aboriginal and Torres Strait Islander community-controlled organisations regarding the delivery of a suite of justice programs to reduce overrepresentation of Aboriginal and Torres Strait Islander peoples in the ACT criminal justice system.
8	Increase the capacity for Aboriginal and Torres Strait Islander offenders to adhere to their Court-appointed Community Based Orders.
9	Increase access to Health Care Services for Aboriginal and Torres Strait Islander detainees in Alexander Maconochie Centre.
10	Provide early support to deliver more timely access to justice diversion services for young people before crisis intervention is required.

STATUS BAR | 10-YEAR PLAN

The status bar provides an at-a-glance timing of Agreement phases highlighting the current Phase.

Phase One	Phase Two	Phase Three	Phase Four
Feb 2019 – Jun 2022 Status: Complete	Jul 2022 – Dec 2024 Status: In progress	Jan 2025 – Dec 2027 Status: Not started	Jan 2028 – Dec 2028 Status: Not started