
C Justice preface

Governments provide justice services to ensure community safety, including community confidence in law and order and effective and efficient administration of justice. The provision of justice services involves crime prevention, detection and investigation, judicial processes and dispute resolution, prisoner and offender management, and rehabilitation services. Some of the high level goals common to all justice agencies are to:

- protect the rights and freedoms of all people through a fair and just system of criminal justice
- provide an accessible and equitable civil justice system
- preserve civil order through the prevention and detection of crime
- provide a safe, just and humane corrective services system.

In seeking to achieve these goals, there is a trend toward the delivery of justice services through partnerships between agencies in order to address complex issues and client needs, for example bail or housing support programs. However, the focus of the chapters in this section of the Report is on the justice services provided by police (chapter 6), court administration (chapter 7) and adult corrective services (chapter 8).

Profile of the justice system

Objectives of the justice system

The justice system reported on in this Report comprises both criminal and civil jurisdictions. Services in the criminal jurisdiction are delivered by police, court administration and corrections. In the civil jurisdiction, police deliver services for infringements, and court administration deal with civil law matters.

The objectives of the criminal justice system are listed in box C.1.

Box C.1 Objectives of the criminal justice system

The objectives of the criminal justice system are to provide protection for the rights and freedoms of all people through:

- the operation of police services that enhance community safety by preventing, detecting and investigating crime
- the administration of criminal justice that determines guilt and applies appropriate, consistent and fair sanctions to offenders
- the provision of a safe, secure and humane custodial environment and an effective community corrections environment that provide program interventions to reduce the risk of re-offending.

These objectives are pursued in a manner that is accessible, equitable, timely and efficient.

The objectives of the civil justice system are listed in box C.2.

Box C.2 Objectives of the civil justice system

The civil justice system sustains and fosters social stability and economic growth through a network of courts, tribunals and legal processes that:

- resolve civil disputes and enforce a system of legal rights and obligations
- respect, restore and protect private and personal rights
- resolve and address the issues resulting from family conflicts and ensures that children's and spousal rights are respected and enforced.

By contrast with criminal justice, civil cases involve participants using the legal system as a matter of choice to settle disputes, and the types of parties and possible dispute resolution approaches vary considerably.

Police, courts and corrective services contribute to the objectives of the criminal and civil justice systems in a number of ways. Not all of the police, court and corrective services activities referred to below are specifically reported on in this Report because either the agency or service does not report, or because programs are delivered by different agencies and there is not a comparable national program. A list of exclusions can be found on page C.13.

Police

The operations of police services are the primary means through which State and Territory governments pursue the achievement of a safe and secure environment

which supports confident and cohesive communities. Police services in all jurisdictions engage in a diverse range of activities aimed at improving perceptions of public safety, reducing the incidence and effects of criminal activity and providing a response to incidents and emergencies.

Courts

Courts provide independent adjudication of disputes and application of the law within an environment that protects human rights. This is a necessary role to ensure that the principles of justice operate in society. Court administration provides services which support the judiciary and court users through the efficient management of court resources and court caseloads.

This report covers the court administration functions associated with criminal and civil jurisdictions of the State and Territory supreme courts, district/county courts, magistrates' courts (including electronic infringement and enforcement systems and children's courts), probate registries, the Federal Court of Australia, and the Federal Magistrates Court of Australia, as well as the court administration associated with civil jurisdictions of the coroners' courts, the Family Court of Australia, and the Family Court of WA.

Corrective services

Corrective services implement the correctional sanctions determined by the courts and releasing authorities such as parole boards. Corrective services agencies operate prison facilities, and in some states and territories periodic detention centres, and are also responsible for managing offenders on community corrections orders. Corrective services agencies administer services and programs which aim to reduce prisoners' and offenders' risk of re-offence, and also provide advice to courts and releasing authorities.

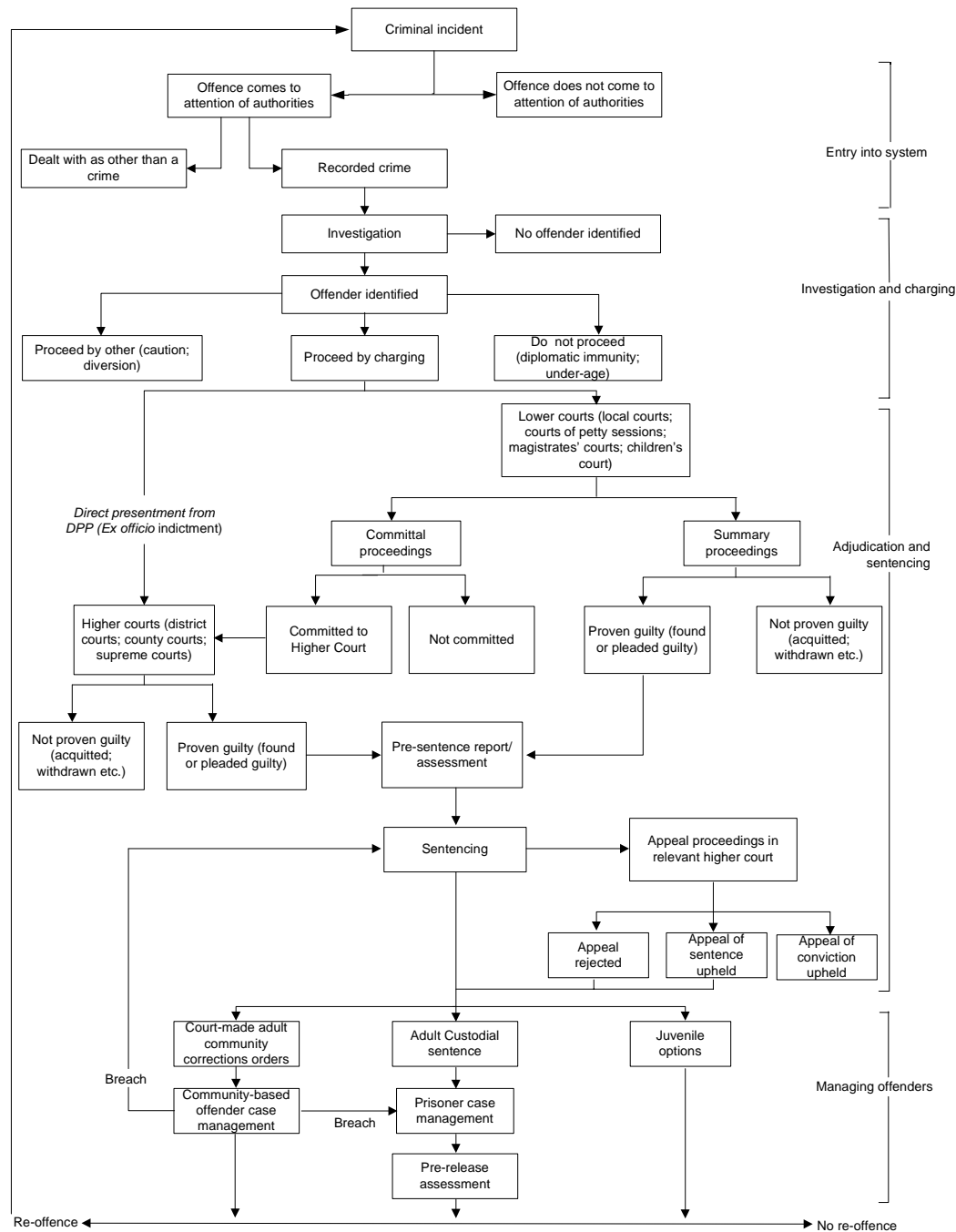
Framework of the justice system

The justice system is broad and complex, and has many interrelated objectives. An overarching aim is to ensure that the community has access to a fair system of justice that protects the rights of individuals and organisations / legal entities and contributes to community safety.

A model of the criminal justice system

For most people who come into contact with it, the criminal justice system is a sequentially structured process (figure C.1).

Figure C.1 Flows through the criminal justice system^{a, b, c}



^a Does not account for all variations across jurisdictions. ^b The flow diagram is indicative and does not seek to include all the complexities of the criminal justice system. ^c Juvenile justice is covered in the Protection and support services chapter (chapter 15).

Source: ABS 2007a

Figure C.1 shows the typical flow of events in the criminal justice system. This depiction is broadly indicative and, for brevity and clarity, does not seek to capture all the complexities of the criminal justice system or variations across jurisdictions.

A model of the civil justice system

The civil justice system involves the interaction of a number of practices, procedures and case management processes aimed at achieving fair, accessible and effective dispute resolution. A simplified model of the flows through the civil justice system is yet to be developed for this Report.

Measuring performance in the justice system

The performance of the justice system is measured in this Report against the objectives of effectiveness (how well agencies meet the outcomes of access, appropriateness and/or quality), equity (how well agencies treat special needs groups) and efficiency (how well inputs are used to deliver a range of outputs). Within the justice system, the ability of one agency to meet these objectives depends in part on the effectiveness of the complex interactions between the police, courts and corrective services (and other agencies outside the scope of this Report). Examples of this are:

- the police services' effect on the courts through the implementation of initiatives such as the issue of police cautions and other diversionary strategies
- police and courts effect on corrective services, such as diversion, bail and sentencing approaches
- the correctional system's services to courts through advisory services
- the impact on the justice system of the degree of recidivism (rate of return) experienced.

Although service areas are represented in separate chapters in this Report, performance results are to some extent interdependent. Each agency's activities may affect the activities and priorities of the other areas of the system. The resource demands on police, corrective services and, to a lesser degree, courts, along with their responsiveness and capacity to provide services and programs to their client bases, need to be considered in this context.

The following section introduces relevant effectiveness indicators used in the Report. It also reports some rate of return indicators, and overall costs (including an

efficiency indicator) for the parts of the justice system covered in this Report. Specific equity indicators are yet to be developed for justice in this Report.

Crime prevention, detection and investigation

The Report includes measures of community perceptions of safety and rates of reported crime and victimisation.

Measures of public perceptions of safety indicate the success of the system in ensuring that the public feel safe both personally and in regard to their property. Public perceptions of safety are reported in detail in chapter 6 and include measures of perceived safety in the home, in public places and on public transport. Chapter 6 also includes data on people's perceptions of the level or incidence of particular crime problems in local neighbourhoods and more broadly across each jurisdiction.

The recorded rate of crime is an indicator of the success of crime prevention and law enforcement. Given that several factors can influence recorded rates of crime, including the general willingness of the public to report crimes to police, additional information is also provided on the community's experience with crime, drawn from the Australian Bureau of Statistics' (ABS) Crime and Safety Survey. This information helps to clarify the relationship between reported and unreported crimes. Recorded rates of crime and information from crime victimisation surveys are reported in chapter 6.

Information on the outcomes of criminal investigations provides a measure of the success of the police in responding to criminal incidents. Chapter 6 reports on outcomes of investigations. The data include the total number of investigations for a range of crimes, the number of investigations finalised as a proportion of total investigations, and the number of investigations that resulted in proceedings against the offending person. Measures relating to the proportion of lower court cases resulting in a guilty plea indicate the effectiveness of work undertaken by police in relation to evidence gathering and court case preparation.

Chapter 6 also identifies the proportion of identified juvenile offenders who were cautioned or diverted from the criminal justice system, as well as the proportion of investigations which were not resolved.

Court administration

Data on the processing of criminal and civil cases provide information on the ability of the justice system to meet community demands for accused persons to be dealt with in a timely manner, for civil disputes and family law matters to be

appropriately resolved, and on the courts' ability to manage their caseload effectively. Information on case processing is reported in chapter 7.

Corrective Services

The objectives of corrective services include the provision of safe, secure and humane custodial and community corrections environments, and program interventions to address the risks of re-offending. Chapter 8 includes indicators such as:

- rates of escapes from prison and successful completions of community corrections orders, which provide outcome measures of the effectiveness of corrective services in administering correctional sentences imposed on offenders
- rates of assaults by prisoners on other prisoners and prisoner deaths from unnatural causes, which are indicators of the provision of a safe, secure and humane custodial environment
- the average number of hours that prisoners spend outside of their cells while they serve their prison sentences, which is another indicator of the provision of a safe, secure and humane custodial environment
- the ratio of hours of community work ordered to hours worked, which is an indicator of the effective administration of the community corrections system
- the levels of participation by prisoners in accredited education courses and employment in prison, which are indicators of the opportunity for prisoners to develop skills that will improve their ability to make a successful transition back into the community at the completion of their sentence.

Indicators are under development regarding the delivery of structured, targeted, offence-focussed programs for prisoners and offenders, such as sex offence treatment programs and violent offence treatment programs.

Selected indicators of the justice system

The rate of return — the extent to which persons entering the justice system return to the justice system — is an indicator of the success of the justice system in achieving the stated outcome of reducing the incidence of unlawful activity. There are no data from police or courts on rates of return, so the only data reported here relating to the criminal justice system is sourced from corrective services agencies.

Rates of return to the criminal justice system

The extent to which persons who have had contact with the criminal justice system are re-arrested, re-convicted or receive further sentences can be viewed as a partial indicator of the success of the criminal justice system in achieving the objective of improving public safety by reducing the incidence of crime.

Comprehensive and nationally comparable data on persons returning to the criminal justice system are currently only available for persons discharged from corrective services custody or supervision — nationally comparable data are not currently available for the rate of persons re-arrested or re-convicted following completion of either a correctional or a non-correctional sanction.

This Report includes rates of return to corrective services within two years of discharge from prison or community corrections for:

- prisoners discharged from an adult prison following a term of imprisonment
- offenders discharged from adult community corrections supervision following completion of their order(s) or supervision requirements.

These return rates are not weighted in any way to account for the nature of the re-offence — for example, a return to prison for a traffic offence is counted in the same manner as a return for a more serious offence such as armed robbery. Nor do the return rates take into account any further:

- arrests
- convictions for re-offending that lead to outcomes that are not administered by corrective services, for example, fines
- corrections sanctions for a repeat offender who has previously been sentenced to only non-correctional sanctions, for example, fines.

Rate of return — prisoners

Two indicators of ‘rate of return’ are reported for prisoners (table C.1):

- percentage of prisoners returning to prison under sentence, within two years of release
- percentage of prisoners returning to corrective services (either prison or community corrections) within two years of release.

The most recent data on the rate of return to corrective services that is available for this Report relate to prisoners released during 2004-05. The ACT did not report on either indicator, because the majority of full-time prisoners sentenced in the ACT are held in NSW prisons.

Table C.1 Prisoners released during 2004-05 who returned to corrective services with a new correctional sanction within two years (per cent)^a

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Prisoners returning to:									
— prison	43.8	36.0	28.7	38.2	32.0	37.1	..	44.6	37.5
— corrective services ^b	46.3	43.4	36.4	47.6	45.1	43.7	..	47.6	43.6

^a Refers to all prisoners released following a term of sentenced imprisonment including prisoners subject to correctional supervision following release, i.e. offenders released on parole or other community corrections order. ^b Includes a prison sentence or a community corrections order. .. Not applicable.

Source: State and Territory governments (unpublished).

Table C.2 provides a time series on the proportion of prisoners released who returned to prison under sentence within two years. Nationally, 37.5 per cent of prisoners released in 2004-05 returned to prison within two years, a decline from 39.1 per cent in 2002-03.

Table C.2 Prisoners released who returned to prison under sentence within two years (per cent)^a

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
2002-03	44.1	41.1	33.2	37.0	32.6	38.8	..	37.1	39.1
2003-04	42.9	40.1	34.1	38.2	33.0	39.1	..	40.4	39.1
2004-05	43.5	38.3	30.6	40.6	35.1	37.7	..	44.2	38.8
2005-06	43.3	36.5	27.6	40.3	31.0	37.2	..	46.4	37.6
2006-07	43.8	36.0	28.7	38.2	32.0	37.1	..	44.6	37.5

^a Data for past years have been revised for some jurisdictions and Australian averages have been recalculated for all previous years. **na** Not available. .. Not applicable

Source: State and Territory governments (unpublished).

Rate of return — offenders

Two indicators of ‘rate of return’ are reported for offenders who served orders administered by community corrections, including post-prison orders such as parole or licence (table C.3):

- percentage of offenders returning to community corrections with a new order within two years of discharge
- percentage of offenders returning to corrective services (either prisons or community corrections) within two years of discharge.

Table C.3 provides data on offenders discharged from community corrections orders who returned with a new correctional sanction within two years. Victoria and the ACT did not report on either indicator for this Report. Nationally, of those offenders who were released during 2004-05, 16.2 per cent had returned with a new correctional sanction to community corrections by 2006-07.

Table C.3 Offenders discharged from community corrections orders during 2004-05 who returned with a new correctional sanction within two years (per cent)

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Offenders returning to:									
— community corrections	16.7	na	10.5	23.1	13.5	14.9	na	16.5	16.2
— corrective services ^a	29.0	na	17.8	41.1	19.8	21.0	na	29.3	27.6

^a Includes a prison sentence or a community corrections order. **na** Not available.

Source: State and Territory governments (unpublished).

Cost of justice services

Real recurrent expenditure (less revenue from own sources)

Recurrent expenditure relates to the annual service costs for the parts of the justice system covered in this Report, and excludes payroll tax. Real recurrent expenditure is derived by applying a Gross Domestic Product (GDP) Implicit Price Deflator (IPD) to the recurrent expenditure data (for the 2008 Report the GDP IPD has a base year of 2006-07). Details on the GDP IPD can be found in the statistical appendix and table AA.26.

Total real recurrent expenditure (less revenue from own sources) for those parts of the justice system covered in this Report was \$9.6 billion in 2006-07 (table C.4).

Table C.4 Real recurrent expenditure (less revenue from own sources) on justice services by all Australian governments (2006-07 dollars)^{a, b, c, d}

	2002-03	2003-04	2004-05	2005-06	2006-07	Average annual growth rate
	\$m	\$m	\$m	\$m	\$m	%
Police services	5 752	5 892	5 993	6 218	6 380	2.6
Court admin. — criminal	457	449	465	475	467	0.6
Court admin. — civil ^d	509	521	553	564	576	3.1
Corrective services	1 876	1 925	2 026	2 146	2 184	3.9
Total justice system	8 594	8 787	9 037	9 402	9 607	2.8
	%	%	%	%	%	
Police services	66.9	67.1	66.3	66.1	66.4	..
Court admin. — criminal	5.3	5.1	5.1	5.0	4.9	..
Court admin. — civil ^{d, e}	5.9	5.9	6.1	6.0	6.0	..
Corrective services	21.8	21.9	22.4	22.8	22.7	..
Total justice system	100.0	100.0	100.0	100.0	100.0	..

^a Totals may not sum as a result of rounding. ^b Expenditure data for all services include depreciation, but exclude payroll tax and user cost of capital. This treatment has been adopted to aid comparability in the above table and may differ from the treatment used in tables within individual chapters. ^c Excludes expenditure on justice services out of the scope of this Report (e.g., expenditure on specialist courts). ^d Civil real net recurrent expenditure for court administration excludes real net recurrent expenditure on probate matters. .. Not applicable.

Source: Australian, State and Territory governments (unpublished); tables 6A.1–8, 7A.12–13, and 8A.12.

Efficiency — real recurrent expenditure (less revenue from own sources) per person

The efficiency of the justice system is reflected in the level of resources used to deliver those services. Unit cost indicators for individual justice services are presented in the related chapters, but some outcomes result from interactions among the individual services. One indicator of efficiency is annual government recurrent expenditure per person on the justice system. Data in table C.5 are calculated from real recurrent expenditure (less revenue from own sources) data for corrective services, criminal and civil court administration and police services, and ABS population estimates, to derive per person results.

Nationally, real expenditure (less revenue from own sources) per person on justice in 2006-07 was \$461 (table C.5).

Table C.5 Real recurrent expenditure (less revenue from own sources) per person on justice services, 2006-07^{a, b, c, d}

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Police services	\$	308	286	285	356	296	298	306	757	306
Court admin. — criminal	\$	25	13	20	35	23	28	22	76	22
Court admin. — civil ^{e, f}	\$	15	12	12	33	18	8	24	44	28
Corrective services	\$	121	75	96	143	90	99	77	270	105
Total justice system	\$	468	386	413	567	426	432	431	1 147	461
Police services	%	65.7	74.0	69.1	62.8	69.4	68.8	71.1	66.0	66.4
Court admin. — criminal	%	5.3	3.3	4.9	6.2	5.4	6.4	5.2	6.6	4.9
Court admin. — civil ^{e, f}	%	3.1	3.1	2.9	5.8	4.1	1.9	5.7	3.8	6.0
Corrective services	%	25.8	19.5	23.2	25.3	21.0	22.9	18.0	23.5	22.7
Total justice system	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

^a Totals may not sum as a result of rounding. ^b Expenditure data for all services include depreciation, but exclude payroll tax and user cost of capital. This treatment has been adopted to aid comparability in the above table and may differ from the treatment used in tables within individual chapters. ^c Population is estimated by taking the midpoint population estimate of the 2006-07 financial year. ^d Excludes expenditure on justice services out of the scope of this Report (for example, expenditure on specialist courts). ^e The Australian total includes net court administration expenditure for the Federal Court of Australia, the Family Court of Australia, and the Federal Magistrates Court of Australia, which are not attributed to state or territory jurisdictions. ^f WA civil net court administration expenditure includes the Family Court of WA, so is not directly comparable with other jurisdictions.

Source: Australian, State and Territory governments (unpublished); tables 6A.1–8, 7A.12–13, and 8A.12. ABS (2007) *Australian Demographic Statistics*, December Quarter, Cat. no. 3101.0; table AA.2.

A number of factors contribute to the marked differences in expenditure across jurisdictions. These include factors beyond the control of jurisdictions (such as geographic dispersion, economies of scale and socioeconomic factors), as well as differences in justice policies and/or the scope of services that justice agencies deliver. For example:

- police agencies in some jurisdictions provide event management and emergency response services, while others do not
- electronic infringement and enforcement systems are within the scope of court administration only in Victoria, Queensland, WA and SA
- corrective services in some jurisdictions are responsible for functions that are delivered by other justice sector agencies elsewhere, for example, management of prisoners in police cells.

Comparisons of unit costs need to account for conflicting objectives and tradeoffs among cost, quality and timeliness, and need to be interpreted in the context of the effectiveness indicators in each chapter.

Given the difficulties inherent in making comparisons across jurisdictions, time series analysis within jurisdictions is important (table C.6).

Table C.6 Real recurrent expenditure (less revenue from own sources) per person on the justice system — time series and growth rates (2006-07 dollars)^{a, b, c, d, e, f}

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
2002-03	\$	444	352	406	515	425	374	435	1010	435
2003-04	\$	451	364	408	519	393	382	452	1091	439
2004-05	\$	453	373	400	546	415	395	447	1150	446
2005-06	\$	462	384	414	558	427	419	434	1169	457
2006-07	\$	468	386	413	567	426	432	431	1147	461
Average annual growth rate	%	1.3	2.3	0.4	2.4	0.1	3.7	-0.2	3.2	1.5

^a Improvements in counting rules and collection scope for each service area over this period mean that the annual growth rate of expenditure needs to be viewed with caution. ^b Excludes payroll tax. ^c Population is estimated by taking the midpoint population estimate of the relevant financial year. ^d Supreme court probate expenditure is not included in these totals. ^e The Australian total includes net court administration expenditure for the Federal Court of Australia, the Family Court of Australia and the Federal Magistrates Court of Australia, which are not attributed to state or territory jurisdictions. ^f WA net expenditure includes the Family Court of WA, so is not directly comparable with other jurisdictions.

Source: Australian, State and Territory governments (unpublished); tables 6A.1–8, 7A.14, 8A.12. ABS (2007) *Australian Demographic Statistics*, December Quarter, Cat. no. 3101.0; table AA.2.

Improvements in the counting rules and collection scope for each service area over the 5 year period covered in table C.6 mean caution should also be applied to interpreting time series and average annual growth rates.

Exclusions

Some government services which contribute to criminal and civil justice outcomes but that are not reported on in this Report are:

- legal aid services, which provide access to both criminal and civil aspects of the justice system
- alternative dispute resolution services, such as conciliation and mediation
- offices of fair trading or consumer affairs, which operate to minimise incidences of unlawful trade practices
- victim support services, which assist victims' recovery from crime (although the processing of applications for compensation is included in the civil case processing information)
- various social services and community organisations that help prisoners released from prison to re-integrate into society, support families of prisoners during their incarceration, and assist people who have contact with the criminal justice system

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- the Australian Crime Commission and the federal functions of the Australian Federal Police
 - the operations of tribunals and registries (except for probate and court registries, and except for certain matters processed by the Victorian Civil and Administrative Tribunal), and judicial outcomes
 - the operations of the High Court of Australia and specialist jurisdiction courts (except for family courts, children's courts and coroners' courts).

Other developments

Each chapter (police services, court administration and corrective services) contains a service-specific section on future directions in performance reporting. The aim of this section is to provide an insight into other related and overarching developments on reporting in the justice sector.

Crime and Justice National Information Development Plan

The Crime and Justice National Information Development Plan (NIDP), released in 2005, identifies an agreed understanding of Australia's statistical priorities as they relate to the field of crime and justice, key data sources (both ABS and other agencies), and information gaps with reference to the identified priorities (ABS 2005). It is a strategic document that has been developed in collaboration with the Australian Government, State and Territory justice agencies, associated research bodies, and a range of other portfolio agencies and non-government bodies that have an interest in the crime and justice field.

The NIDP aims to promote improved understanding of trends and patterns of crime in Australia and the operation of the criminal justice system. Specifically it aims to:

- lead to an increased knowledge about the use of currently available data
- lead to improved data availability in the future
- assist in establishing a framework for future development in the area.

The NIDP lists 12 priority areas for improving the quality, coverage and use of crime and justice information across Australia and provides a map of the collaborative work planned or underway. The following priority areas are relevant to this Report:

- improve data comparability across administrative collections
- improve quality and integration of national crime and safety data

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- improve crime and justice statistics about Aboriginal and Torres Strait Islander people
 - develop measures of recidivism
 - develop statistics on juvenile contact with the crime and justice system.

National Criminal Justice statistical framework

The National Criminal Justice Statistical Framework was released in September 2007 by the Australian Bureau of Statistics (ABS 2007a). The framework discusses the criminal justice system, including its policy and social context, and the complexities of measurement within the system and broader environment. It models the flows through the criminal justice system and discusses the various connections across its primary sectors, identifying some of the key counting units and data variables that characterise its main aspects. The framework provides a basic structure for understanding, organising, collecting and reporting data about crime and the criminal justice system. In doing so it intends to facilitate the compatibility and integration of aggregated data on populations across the criminal justice system and across geographic areas. By using shared definitions and standards across service areas and jurisdictions, a common language can be created that facilitates a mutual understanding of the criminal justice system and the populations that flow through it. The framework is a dynamic and evolving document that is anticipated to develop over time.

Juvenile justice

The Protection and support services chapter (chapter 15) provides descriptive information relating to juvenile justice services. Prior to the 2008 Report, information about juvenile justice services was contained in the community services preface.

Indigenous issues

Overcoming Indigenous Disadvantage: Key Indicators

In April 2002, the Council of Australian Governments (COAG) asked the Steering Committee to prepare a regular report on key indicators of Indigenous disadvantage as part of the COAG reconciliation commitment. In November 2003 the Steering Committee released the first edition of this report and a second edition was released in July 2005. The third and most recent edition of the report, *Overcoming*

Indigenous Disadvantage: Key Indicators 2007 was released in June 2007 (SCRGSP 2007).

The annual Report on Government Services focuses on the delivery of government services, whereas the *Overcoming Indigenous Disadvantage: Key indicators* report series concentrates on high level outcomes and strategic areas for action (which includes criminal justice indicators). In the *Overcoming Indigenous Disadvantage: Key indicators 2007* Report, information about family and community violence, and imprisonment and juvenile detention rates, was reported and formed part of the suite of headline indicators which together provide a way of measuring progress in achieving priority outcomes for Indigenous people and communities. Strategic change indicators included diversions of juvenile offenders and repeat offending.

Developments in Indigenous data

Limited data are available on Indigenous people who have interaction with the criminal justice system. In this report, data on the deaths of Indigenous people in police custody and custody-related operations (for example, sieges and pursuits) (chapter 6) are sourced from the Australian Institute of Criminology. Data on the representation of Indigenous people in prisons and community corrections (chapter 8) are sourced from the ABS.

Ongoing examination by the ABS of the implementation of the ABS 'Standard Indigenous Question' (SIQ) in the practices and systems of police agencies, court agencies, and corrective services agencies will lead to data quality improvements for ABS data currently included in this Report, and may lead to additional data becoming available in the future.

Police

Police agencies across Australia collect Indigenous status information for victims and offenders, but not all data comply with the ABS SIQ standard. During 2006-07, the ABS conducted a quality assurance review of how state and territory police implement the ABS SIQ standard. The review found that NSW, Queensland, and the ACT were complying fully with the requirements of the SIQ standard for victim records. SA and the NT are expected to comply in the next 12 months. Victoria, Tasmania and WA have a number of issues to address before data about Indigenous victims are of sufficient quality to meet the ABS standard.

The ABS published for the first time experimental Indigenous victimisation data for NSW, Queensland and the ACT in the ABS *Recorded Crime Victims, Australia*,

2006 (ABS 2007b). Victimization data are expected to be available for the NT and SA in the next 12-18 months.

NSW, Queensland and the NT are currently collecting and recording information about alleged offenders in accordance with the ABS standard. SA is in the process of implementation, and expects to comply with the standard within the next twelve months. The remaining jurisdictions do not currently meet the requirements of the standard. The ABS is continuing to work with all jurisdictions to improve Indigenous data collection and the quality of this information.

Criminal courts

Criminal court agencies do not in the main directly collect and or record information about Indigenous people. These agencies largely rely on the quality of information about Indigenous people that is transferred from police agency recording systems to court agency systems. Work is underway in the ABS to examine the quality of Indigenous data in criminal court agency systems for those jurisdictions where the police data currently meet the ABS standard. This will include an assessment of quality at each court level.

Corrective services

The ABS is currently evaluating the use of the ABS Indigenous identification standard in Corrective Services agencies (both custodial and community-based corrections). Whilst the ABS has published Indigenous status data in Corrective Services collections for a number of years, quality assurance is required to better understand the level of accuracy over time.

The quality of the Indigenous status information collected and recorded in Corrective Services agencies is assessed against the ABS SIQ. The SIQ is based upon self-identification by the individual who comes into contact with Corrective Services agencies. The SIQ requires individuals to be asked 'Are you of Aboriginal or Torres Strait Islander origin?' The answers to the SIQ can be 'No', 'Yes, Aboriginal', or 'Yes, Torres Strait Islander'. If the offender is of Aboriginal and Torres Strait Islander origin, both responses should be identified. If an offender does not supply an answer to this question, or is not asked, the Indigenous status field should be recorded as 'not stated'. The standard also requires that the SIQ fields are mandatory in corrective services agency recording systems in order to reinforce the asking of the question, and assist in the maintenance of data quality.

For custodial corrections, initial indications are that corrective services agencies in all states and territories, with the exception of WA, ask the SIQ as described above.

There are however differences across the states and territories in relation to the recording processes for this data. In Tasmania, the NT and the ACT, individuals are asked the SIQ on each reception into corrective services custody, and it is mandatory to enter a response to this field in their recording systems. Victoria does not re-ask the SIQ for every subsequent involvement that an individual has with corrective services, and data may also be sourced from other justice sources. In SA, it is a requirement for persons to be asked upon reception on each occasion in which they enter custody, however it is not a mandatory field in the recording system. NSW does not have Indigenous status as a mandatory field in their recording systems, and does not always re-ask the question for subsequent involvements. WA does not currently comply with any component of the SIQ. At the time of publication, the processes applied in Queensland are yet to be confirmed.

The initial evaluation for community-based corrections has highlighted that currently no jurisdiction is fully complying with the ABS SIQ, therefore, care should be taken when referring to this data. The extent to which jurisdictions are complying with the standard varies. Currently, Tasmania is complying with most SIQ requirements, but does not necessarily re-ask the question on each occasion that an individual commences an order under corrective services supervision. The remaining jurisdictions have more significant issues to overcome before they comply with the SIQ, and the ABS will continue to work with states and territories to better understand and improve the quality of this data item. It should be noted that at the time of publication, the SIQ recording processes applied in Queensland and the ACT are yet to be confirmed.

References

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