

Clear Horizon

Place-based evaluation of the Aboriginal Justice Agreement (Phase 3)

Prepared for Department of Justice and Regulation Koori Justice Unit

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Language in this report

Throughout this document, the term Aboriginal is used to refer to both Aboriginal and Torres Strait Islander people. Use of the terms 'Koori', 'Koorie' and 'Indigenous' are retained in the names of programs and initiatives and, unless noted otherwise, are inclusive of both Aboriginal and Torres Strait Islander peoples.

Acknowledgements

We acknowledge the Traditional Custodians of the land in the state of Victoria and pay our respects to their Elders both past, present and future.

Through this evaluation we have been fortunate enough to speak with a broad range of Aboriginal people across the state. We would like to acknowledge their contribution and especially their willingness to share their views, ideas and stories. We would especially like to acknowledge the time of prisoners and offenders who openly shared their life stories with us.

Our sincere thanks to the members of the Aboriginal Justice Forum, members of the Koori Caucus and representatives of the State Government, who gave their time to this evaluation. There is a strong commitment to the Aboriginal Justice Agreement from these parties and a real desire to achieve the objectives of the Agreement.

Executive Summary

The Victoria Aboriginal Justice Agreement (AJA), first signed in 2000, has articulated the State's and Aboriginal communities' commitment to improving justice outcomes for Aboriginal Victorians. When the second phase of the AJA was implemented in 2006 there had been sufficient evidence gathered through the first phase to identify the benefits of delivering services and programs that were responsive to individual community needs, that is, place-based. The attention to place-based delivery was strengthened in phase 3 with the Agreement emphasising the commitment for the development of initiatives that could be established in partnership with local communities. The aim was for local Aboriginal communities to continue to "develop solutions responsive to local needs" (AJA3: p.29)

The Koori Justice Unit within the Department of Justice and Regulation has commissioned this evaluation of place-based initiatives that have been implemented in four justice regions: Barwon South West, Loddon Mallee, Northern Metropolitan and Southern Metropolitan. The evaluation, conducted by Clear Horizon Consulting, used a qualitative methodology to gather the views and opinions of key stakeholders in each of these regions drawn from government, non-government and community. Overall this evaluation is seeking to understand how the AJA3 is being implemented on the ground, what is working well and why, as well as to identify gaps and opportunities for implementation of the next stage of the Aboriginal Justice Agreement (AJA4). The specific objectives for the evaluation are to provide independent insights into the following matters:

1. Whether AJA3 initiatives have contributed to improved Aboriginal justice outcomes in specific locations
2. Are there differences in outcomes between, and within the four regions and, if so, why?
3. How effectively the AJA3, as a strategy, addresses issues underlying Aboriginal over-representation in the justice system and identify opportunities to improve this response.

We have sought to examine the similarities and differences of implementation and outcomes in different areas, examining critical success factors in the four study locations, while considering any broader contextual factors which may exert influence over the effectiveness of different approaches in different areas.

The evaluation has sought to answer eight key evaluation questions, as follows:

1. What have the outcomes of the AJA3 been in each location? Have there been any unintended impacts?
2. To what extent has the AJA3 improved positive contact with the criminal justice system and increased access to, and use of, justice related programs for Koori youth and adults?
3. To what extent does the AJA3 complement, make use of and build upon individual, community and organisational strengths, resources and services?
4. What specific factors (geography, history, service mix, location, etc.) influence outcomes in the locations and need to be considered in applying findings from this area to other locations?
5. What is the experience of Aboriginal offenders and Aboriginal youth as they engage with the 'service mix' under AJA3? Are there points in the system where Aboriginal offenders are at risk of 'falling through the gaps'?
6. How well does the current mix of AJA3 activity (including processes, programs and services) respond to local community needs and drivers of Aboriginal contact with the justice system in each location?
7. What are the opportunities to improve service, coverage and integration of AJA initiatives to progress justice outcomes in the locations?

8. Is it possible to assess the cost and benefits of the AJA in each location?

Through interviews and focus groups, the evaluation team has collected information and views from over 180 people including 30+ prisoners and offenders on community orders. We have sought the views of members of the Koori Caucus, representatives from each of the signatory agencies to the Agreement, Chairs and Deputy Chairs of the Regional Aboriginal Justice Advisory Committees, members of the Local Aboriginal Justice Action Committees, representatives of Aboriginal community-controlled organisations and peak bodies, and other non-signatory government agencies. Our approach to the evaluation was informed through an extensive literature review of place-based practice in Australia and overseas. This has helped to isolate the key characteristics of initiatives that truly respond to *place*. Findings from the evaluation have been presented to each of the four RAJACs and have been reviewed by the Evaluation Steering Committee established by the Department.

A key finding from this evaluation is that the AJA governance structures have been instrumental in giving voice to Aboriginal people across the state – from small regional communities through to highly urbanised centres. They have provided a conduit for government agencies to better connect with the people they serve – to gain insights and understanding that has previously eluded them. All partners have benefited from the partnership. Too often we think about initiatives like the AJA as something that government does for (and sometimes, to) its citizens and we fail to acknowledge that Government is a beneficiary itself. That is a main story from this evaluation. The AJA has built the capacity of government as much as it has strengthened the capacity of community.

Summary of findings

The level of engagement

The AJA is a partnership with an emphasis on engagement and collaboration. Each of the initiatives has emerged as a result of broad discussions involving input from community and government. In most cases the Regional Aboriginal Justice Advisory Committee (RAJAC) has been key to bringing the parties together and in the case of the larger government-driven initiatives (e.g. the Koori Women's Diversion project or the Aboriginal Community Fines Initiative) the RAJAC has acted as a conduit and the place where discussions were held, not least to ensure that new initiatives are place-based rather than simply replicated from elsewhere.

Overall, the initiatives we have investigated have adopted the same commitment to engagement as is articulated in the AJA. There is an acknowledgement that involving the voices of the people who are most disadvantaged and whose lives might be most affected is crucial to grounding initiatives in local strengths and needs and to ultimate success.

Leadership and community strengthening

In adopting a place-based approach the AJA is seeking to address complex issues in particular locations that are contributing to high levels of contact between Aboriginal people and the justice system. The LAJACs and RAJACs are at the centre of the approach.

Interviews conducted with RAJAC members representing community and government have confirmed that the partnerships created through the RAJAC/LAJAC are helping to create a sense of ownership at the local level. RAJACs facilitate the participatory identification of needs and the development of plans to address those needs. Because they are part of, and own, the plan, local community organisations and groups and government agencies are motivated to contribute to its success. Involving the RAJACs/LAJACs in setting priorities also allows for prioritisation according to community strengths so that programs have the greatest chance of impact and success.

We have found strong leadership in each of the four regions under investigation and it is this leadership that has driven the AJA3 over the past five years. High levels of trust between RAJAC members are reported and

are apparent in all four locations. We suggest this has been facilitated in large part by the leadership shown from both the community and agency representatives.

Adequate time and a long-term focus

The AJA has now been a feature on the landscape for over 17 years and over that time strong relationships of trust have developed, particularly through the RAJACs and at the Aboriginal Justice Forum. All interviewees truly understood the complexity of the issues that would need to be addressed and the size of the task in addressing them. All understood that some issues would not be shifted easily and would take time and commitment to do so. There is an acknowledgement that no single strategy or set of strategies is going to make quick and significant inroads into the over-representation problem.

All of the initiatives had been developed through long consideration, enabling consultation to occur and relationships to form. Their design has largely had the benefit of time but not all initiatives have the benefit and security that long term funding provides. Initiatives funded through grant money are the most likely to face the insecurity of short-term funding. Little can be achieved over short time frames and this ultimately creates uncertainty and frustration.

Complicating matters is that funding for programs being delivered in the community tends to be offered through competitive rounds where organisations are pitted against each other to attract funding. These arrangements do not lend themselves to collaboration, which is a key aim of the AJA.

Programs that come and go, especially programs that have been achieving good results and that are supported by community, creates distrust. This makes it more difficult for new, or even revitalised old, programs to be rolled out because community members are less inclined to engage with them for fear that they will not continue in the short-term.

Responding to the context

We found a good understanding in each of the regions of the particularities of the issues that are contributing to contact with the criminal justice system. This understanding is driving the planning around programs that might be best placed to address these issues. Initiatives that have been pursued are taking account of the disadvantage faced by members of the community as well as the capacity of organisations to deliver services. In that sense, these initiatives are both spatially and socially targeted.

Overall, the initiatives implemented under the umbrella of the AJA can be said to respond to place. To successfully work within a community deemed ‘high-risk’ requires more than simply addressing the challenges; it requires an acknowledgment of the strengths that are apparent in the face of those challenges. The evidence from this evaluation shows us that it continues to be imperative to play to unique community strengths, to allow adequate time and other resources for local program design and planning, to be flexible in allocating funds, to incorporate real costs into service or program funding, and to apply government resources and expertise to build community capabilities and skills. Building community capacity and capability entails going out to communities, recognising differences, supporting leaders, encouraging knowledge-sharing across organisations, rewarding collaboration and ensuring a flow of up to date information on available resources, services, programs, data and research. Such an emphasis on place helps to localise and culturally-situate any program or initiative to best respond to the local need. Once contextualised, successful and innovative programs and services can more readily be adapted for transfer to other regions.

Flexibility

Common practice in the delivery of place-based initiatives suggests that there needs to be a flexible approach and “locally grounded” design and implementation. We found that most initiatives were able to respond or adapt to the situation on-the-ground and even occurred within the more bureaucratic setting of government agencies. For example, the CCS Case Manager in Geelong found that case management through outreach offered a more effective outcome for his client on a community order. Similarly, the Koori Women’s Diversion

program is adapting to the needs of the women it is helping through the process. The flexibility is enabled, in part, because of the multi-sectoral approach that has been adopted. The client is at the centre of the initiative and bringing together each of these different service providers means that all develop a collective understanding of the client's needs and this gives support to responsiveness and flexibility.

There are opportunities for further flexibility but it will require greater autonomy in decision-making at the local level. That may mean devolving decision-making authority to non-Government organisations and, in some cases, to individuals such as the Local Justice Workers. Such an approach draws on the expertise of local (and sometimes community) leaders. If this were allowed then local decision-making will need to be made within defined boundaries but these might be negotiated on a case-by-case basis.

Joined up working

Joined-up and collaborative working is an integral requirement of successful place-based initiatives. It is also an aim of the AJA. This approach recognises that no one organisation can provide solutions to all of the issues driving offending behaviours. Joined-up working was demonstrated to some extent by all the initiatives reviewed. Achieving the necessary 'flow' is a continuing aspiration throughout the system. The concept of 'flow' or continuity of care was a major theme in discussion of this report by the Evaluation Steering Committee.

Responding to the key evaluation questions and recommendations

KEQ 1: What have the outcomes of the AJA3 been in each location? Have there been any unintended impacts?

Initiatives and programs implemented under the umbrella of the AJA are achieving positive outcomes in the regions, although the overarching aim to reduce the over-representation of Aboriginal people in the criminal justice system has not been achieved. There have been a number of factors that have contributed to this, including legislative change, and such factors are beyond the control of the AJA partners. In many cases the impact of regulatory or legislative change on Aboriginal and other vulnerable communities is not sufficiently considered, particularly given the disproportionate negative impact that much of this change renders. It would be beneficial if consideration of such impact were prescribed for those with responsibility for the development of new or amended legislation to try to lessen the potential for adverse unintended outcomes.

Recommendation 1: that the Victorian Government develop and put in place structures and processes to ensure consideration of the potential impact of new or amended legislation to try to lessen the potential for adverse unintended outcomes for Aboriginal people (children, young people and adults), including:

- that the Department of Justice and Regulation liaise with Office of the Commissioner for Better Regulation to determine the need for a revision to the Victorian Guide to Regulation to indicate where Local Impact Assessments (LIAs) and Regulatory Impact Assessments (RIAs) should specifically describe any disproportionate impacts of legislative/regulatory change in the justice sector on Victorian Aboriginals.
- that the Department of Justice and Regulation liaise with the Department of Premier and Cabinet to determine whether changes to the *Subordinate Legislation Act 1994* and/or its regulations, or the Premier's Guidelines are appropriate to ensure impacts on Aboriginal people are adequately assessed.

There have been significant contributions made towards delivering on the AJA's six strategic objectives across all regions in varying ways.

Each of the regions has specific, and often unique, characteristics contributing to the specific criminal justice issues encountered by Aboriginal communities in those regions. A number of AJA initiatives have been implemented in each of the justice regions and have not specifically been designed in response to the unique context (and so are not considered 'place-based' in the truest definition of the term). However, even these centrally designed programs do respond to context in their local implementation. One useful example worth exploring is the Koori Courts. This AJA initiative follows the same overarching model regardless of the region they operate in but they take advantage of the presence of connected Elders and Respected Persons in the region. This not only provides cultural relevancy but also ensures that those coming before the court are facing Elders from their own community who understand the local environment and the contributing factors to offending behaviours. The involvement of the local Elders contextualises the discussion and the decision-making in the 'place' where the actions are taking place.

There are few examples of initiatives that more truly align to a place-based approach. A prime example we highlight is the Koori Women's Diversion Program (KWDP) piloted in the Loddon Mallee region. The KWDP was not rolled out by government in a standard format, but was designed in, and with, the local community to suit the local context, local needs and the available service mix, that is, the community strengths. While there are core principles guiding implementation particularly around intensive case management, operational structures and details are specific and responsive to the Mildura context.

In terms of unintended impacts, we have not heard of any that have been adverse. One impact that might be considered adverse is the considerable demands placed upon people in various liaison type roles, although they would not describe it as such. The success they are having in their roles in supporting community members through the justice system means that they are called upon well beyond their operational hours and to assist with matters that are beyond their job description. This suggests two things – 1) that they are providing a valuable and necessary service and 2) that more liaison officers are required.

Recommendation 2: that additional Aboriginal liaison officer positions (LJWs, YJWs, ACLOs and SALOs) be established in the regions to match specific regional needs. Support structures should be put in place to connect Liaison Officers regardless of whether they reside in or are funded by justice agencies or are located in non-justice agencies. Further, Liaison Officers should be provided with personal development opportunities through the provision of training and/or education relevant to the many roles they play. Other support should be considered, for example, access to a vehicle to allow for out of hours assistance to be provided. Remuneration packages will need to account for the work that officers undertake outside of normal business hours including weekends.

KEQ 2: To what extent has the AJA3 improved positive contact with the criminal justice system and increased access to, and use of, justice related programs for Aboriginal youth and adults?

From its inception the AJA has promoted an approach to justice that is more therapeutic and less punitive. It focuses on early intervention and diversion aiming to minimise contact with the justice system to the greatest extent possible. As a partnership that includes non-justice agencies such as Education and Health and Human Services, the AJA encourages a holistic approach to deter children from criminal activity and thus avoid contact with the criminal justice system. If contact does occur, diversion options are in place that lessen the severity of that contact and the likelihood of further offending. If diversion is not an option, as would be the

case in serious offences, offenders may be managed in the community on a community order or imprisoned.. In both cases, opportunities to participate in treatment and/or rehabilitation should be available to help the offender in addressing the drivers of their offending behaviours.

The forums that have been established under the AJA provide a setting where government and community can come together to discuss issues, learn from and about each other and propose solutions. These forums are highly regarded. Representatives from government agencies talked about how their understanding of the importance of culture to Aboriginal people and of the challenges they encounter had improved. The improved understanding and cultural awareness had led them to think differently about how the justice system and other systems can better respond.

It is evident in the strategies and policies announced by Victorian Government agencies they have maintained a commitment to addressing the inequalities between Aboriginal and non-Aboriginal Victorians. The AJA has played a role in highlighting and keeping a focus on the issues that contribute to the over-representation of Aboriginal people in the criminal justice system. The organisational shifts are making a difference to building relationships of trust but there is further work to do. Access to culturally appropriate, and more importantly, Aboriginal designed and delivered programs for offenders and prisoners needs to be extended. That agency staff are adopting more flexible approach to their service delivery is encouraging. These approaches help to improve access by removing some of the structural barriers to service access. Continuing the practice may require giving greater autonomy to individual staff members and devolving authority to regional, and even local, centres. It has been shown to work and investment in this should reap benefits for the agency and for the people they are serving.

Recommendation 3: that consideration be given to expanding the number of Aboriginal designed and delivered programs for Aboriginal offenders (young and adult) in the community and in prisons. Resources should be directed towards building the evidence base of what works in programs to address offending behaviours including treatment programs for AOD and mental health problems. Some consideration should be given to expanding accessibility to programs for Aboriginal prisoners and detainees on short sentences. Continuity of services has been highlighted as problematic for adult prisoners and young detainees transitioning to the community. Improving the transfer of information from prison to community service providers will help with this.

KEQ 3: To what extent does the AJA3 complement, make use of and build upon individual, community and organisational strengths, resources and services?

The AJA3 advocates for place-based strategies and approaches that respond to particular local contexts. Place-based approaches are reliant upon local individuals becoming engaged with and investing their time and efforts in a problem and its solution. Sharing knowledge and information in these collaborations is helping to build capacity and capability in all partners.

The partnership structures of the AJA3 allow for local and regional input into the identification of the primary justice issues and into the development of solutions. The effectiveness of the RAJAC and LAJAC is contingent upon the strength and passion of individual members. In that regard the AJA3 is making good use of the individuals working together towards the objectives of the Agreement, but this is not without a cost. That cost is the demand placed upon each of the individuals in terms of time and effort. Aboriginal community members participating in LAJAC, RAJAC and the AJF are mostly engaged with the AJA in addition to their full-time roles. They are very active in their community and are members of other boards and committees. In more recent

years, their time has also been taken up with engaging in discussion around self-determination and the development of a treaty. Additionally, several State Government agencies have established AJA-like structures which also place demands on Aboriginal leaders' time. The involvement of community leaders in the Forum and RAJACs brings great insight and benefit to the AJA, but it is taxing. It would help if there were more members of the community able to step into leadership roles. This requires an investment in younger Aboriginal men and women to develop their skills and abilities to facilitate their participation in the AJA. The investment can come from government in the form of awareness raising, leadership programs, networking opportunities, cadetships and mentoring. The investment can also come from older community members and Elders acting as mentors and role models for younger people as they develop their own skills.

Recommendation 4 – that the Department of Justice and Regulation:

- revise the RAJAC operating framework to allow and encourage the involvement of 'lay' community members
- develop a strategy for encouraging greater involvement of Aboriginal men and women, including young people, in the Regional Aboriginal Justice Advisory Committees that includes a pathway to leadership roles.

The involvement of ACCOs and other Aboriginal organisations or bodies (e.g. gathering places) as the prime delivery agent for services to Aboriginal people is central to the AJA's place-based approach. Led by Aboriginal people, these organisations are at the heart of, and chief advocates for community. They are best placed to understand community needs and deliver responsive services.

This report discusses numerous examples of impactful programs, but gaps do remain. One major gap is simply the few services that are available. Not all regions have a good coverage of ACCOs causing a reliance on mainstream services that may not always be culturally appropriate. Other regions may have one or two excellent services but a gap in some other service area. The major gaps across all areas are in post-release housing, alcohol and other drug treatment, mental health services, residential treatment/healing options, and transition to study and employment programs.

Not only has the AJA3 contributed to strengthening Aboriginal organisations, it has been instrumental in fostering cultural change within Government. Our interviews with non-Aboriginal government staff would often include discussion of the role of cultural awareness training in raising awareness, shifting attitudes and encouraging new relationships. Aboriginal employment strategies that have led to more Aboriginal employees have had a similar impact on the non-Aboriginal workforce – improving understanding and forming new friendships.

Grants and other funding

It is common for Government grants and program funding to be limited to Aboriginal organisations (or non-Aboriginal organisations auspicing to Aboriginal organisations) as they are considered the most appropriate location for the services to reside. The criteria that prescribes what organisations are eligible to receive funding are one way to direct resources to organisations that can assist in internal capability strengthening while also assisting clients. The funding can assist in an organisation building on its existing service offering, furthering recruitment, and encouraging skills development. However, there may be downsides to government funding for some of these organisations, particularly smaller entities whose existence is reliant upon ongoing receipt of funding.

There is an administrative burden on organisations in applying for and managing grants and the lack of recognition of the financial cost of grant management. There are also difficulties in implementing long-term

programs with funding that is issued over short time periods. Organisations that have few funding options outside of government grants face great uncertainty. The impact of loss of funding is particularly harsh for recipients who had previously been receiving services from the organisation and who are often faced with no other alternatives in the locality they reside.

Initiatives implemented under the AJA3 and the structures that have been established to support it are contributing to community strengthening. There is a sense, however, that some of the upskilling that is occurring is a coincidental and positive by-product of initiatives rather than a purposeful intent. Undeniably there are adverse effects on Aboriginal organisations and the people they are assisting when funding is withdrawn. We do not suggest that funding be automatically granted but there may be opportunities to improve grant schemes to minimise the effects of an abrupt loss of funding. It will take some 'out-of-the box' thinking to do this but we have no doubt that the talent that sits around the AJF table is such that new solutions can be explored.

Recommendation 5 – that grants programs incorporate specific requirements for recipients to include capacity building for their Aboriginal workforce or for the community they are serving and include this as a measure of success. If this recommendation is implemented then funding amounts will need to reflect the additional resources required to action this new requirement.

KEQ 4: What specific factors (geography, history, service mix, location, etc.) influence outcomes in the locations and need to be considered in applying findings from this area to other locations?

Where success has been achieved the overarching factor that has contributed to that success is strength of identity and strength of culture. Where challenges have been difficult to overcome, we commonly heard statements that 'people had lost their way'.

The Barwon South West region has been held up as the exemplar, the model to be imitated. There is no doubt that Barwon South West is somewhat unique in comparison to other regions in this study. The individuals that participated in the evaluation referred to the cultural strength of the region and how that has encouraged greater direct engagement by Aboriginal community members in addressing the problems encountered by the whole community. There is a coherence in the region that allows for people to come together no matter what their language group or ethnicity. This coherence is not effortless. It has been created through the active and largely uninterrupted participation of Aboriginal leaders, young and old, over many generations, and of non-Aboriginal leaders in government and community. The AJA offers the structures (RAJAC and LAJAC) to enable this to happen.

The other three regions do not appear to have the same level of coherence and this is largely a function of migration and history. The two metropolitan regions have extremely diverse Aboriginal populations. That diversity comes in the form of their cultural attachments, their kinship affiliations and the lives they lead. There are also issues associated with population mobility and the difficulties this brings in continuity of service delivery. The Loddon Mallee region is also subject to high levels of population mobility, particularly in the north. Although these regions are challenged by these factors the presence of numerous strong ACCOs in Loddon Mallee and Northern Metropolitan offer a focal point for activity and action to take place. In many cases these ACCOs are taking the lead in supporting their communities.

While the Southern Metropolitan region does not have the same range of ACCOs it does have strong leadership within the ACCOs, the Gathering Places and on the RAJAC, although it appears to be somewhat

uncoordinated, occurring independently of each other. The challenge for the Southern Metropolitan region is that responsibility for leadership rests with few individuals in a region with the largest Aboriginal population of all regions in Victoria. The large population should be seen as a positive as it suggests there are opportunities to tap into the skills and experiences of the people living there. Doing so will take some effort and investment in raising awareness, establishing networks and providing opportunities for engagement. At present the Gathering Places seem to be the ideal location for this to take place. However, their current resourcing is stretched and insecure. Greater security of funding would provide the Gathering Places with the necessary certainty and the financial capacity to introduce programs aimed at encouraging stronger engagement, particularly of younger Aboriginal men and women.

Recommendation 6 – that the Department of Justice and Regulation work with other agencies and local governments to investigate options for providing resources (financial and in-kind) that support the operation of Gathering Places (or similar grass roots organisations) as spaces where Aboriginal people can come together in a safe and welcoming environment and where programs and services can be delivered.

Some key informants and the Evaluation Steering Group Steering Group reflected on the challenges face by Chairs and Executive Officers in maintaining RAJACs and LAJACs. A need for Project Officer support was felt necessary, as well as ongoing professional support and development.

Recommendation 7 – the RAJACs and LAJACs are important structures in the regions allowing for government and community to come together to discuss justice issues and to develop solutions. Their continued operation is essential to maintain the momentum of the AJA and they will need to be adequately resourced to allow for continued impact. We recommend that Government continue to support the resourcing of these structures and to develop strategies to encourage increased participation by both community and government representatives in the regions. The specific roles of the RAJAC Chair and EO must be better supported through the provision of sufficient financial, physical and human resources (such as Project Officers, professional development) to enable improved engagement across the region they operate in.

One point we would like to highlight is the dependence of community organisations on government funding. The funding opportunities over the period of AJA3 included Frontline and CIP as well as grants provided through Community Crime Prevention. Regardless of the source, access to the grants creates competition between regions and between organisations. Rather than promote competition it would be beneficial if the grants encouraged collaboration, particularly between organisations servicing the one region.

The competition for grant funding will tend to favour larger, better resourced and longer established organisations. Requiring collaborative applications can help those smaller, less well-resourced organisations to learn from the larger organisations, build their own internal capacity to apply for grants and deliver on programs they might not necessarily be involved in. Collaboration in this way levels the playing field between the different ACCOs throughout the state.

One further point about the grants that were available during AJA3: there appeared to be considerable overlap in the targets for the grant applications that were successful. Certainly, Frontline and CIP tended to favour projects aimed at youth. It was not clear why the two separate programs were established. Efficiencies are likely to be achieved in management through rolling the two programs into one.

Recommendation 8: that guidelines for grant programs encourage collaboration between organisations to develop programs and then implement them in a partnership way. In particular:

- to allow for relationships to be established and applications to be developed, sufficient time (at least three months) should be allowed between announcing the availability of the grant and the deadline for applications.
- to ensure local initiatives arise from and match local strengths and needs, allow adequate program time for community engagement and program co-design.
- that the DJR set up a single grant mechanism, in place of CIP and Frontline, for funding initiatives that are relevant to AJA objectives, allowing sufficient flexibility for applicants to determine their own focus.

KEQ 5: What is the experience of Koori offenders and Koori youth as they engage with the 'service mix' under AJA3? Are there points in the system where Koori offenders are at risk of 'falling through the gaps'?

The experience of adults

Interviews with adult prisoners and offenders revealed common experiences. In most cases first contact with the criminal justice system occurred at an early age. It often followed disengagement from schooling and escape from a dysfunctional home. There ensued a cycle of sanction and reoffending leading to imprisonment. This was true of many, although certainly not all, prisoners we spoke with.

Prisoners' stories diverged when the discussion moved to rehabilitation and treatment. There were varying views on access to appropriate programs and of their effectiveness. More favourable views were expressed about Aboriginal specific programs, and especially about those delivered by Aboriginal service providers. However, access to these programs is not universal in either the prison setting or in community. We have heard that some successful programs have been discontinued, sometimes through lack of funding and at other times the result of program staff leaving. It does appear that some programs are contingent upon one or two individuals driving the delivery and this makes the programs susceptible to ending when one individual leaves.

Programs offered in the community will often be delivered by ACCOs, with many of these organisations serving the local language group. There are occasions where offenders are not on country and are reluctant to use these service providers. In cases where the offender is on country there may be a reluctance to use these local services because of shame. Where these offenders have conditions to attend a program the only viable alternative is to attend a mainstream service provider who may or may not offer culturally appropriate programs.

Several initiatives are effectively delivering services in the community. The Justice Bus alleviates the need for people with justice issues to travel the long distance to Melbourne to obtain a birth certificate as a first step in obtaining a driver's licence. Equally, the Aboriginal Community Fines Initiative is helping people to resolve

multiple issues in one place, in one day. Both initiatives are helping to reduce the levels of distrust and anxiety that many Aboriginal people have in dealing with Government.

Over the period of the AJA3 there has been an increase in the availability of culturally relevant programs across regional Victoria, but the number is insufficient to meet demand. Those that are operating are achieving good results and, more importantly, are sought after by Aboriginal offenders and prisoners. The success of these programs has been attributed to the holistic approach taken to 'healing the spirit' and not simply focusing on criminal behaviours. Such an approach focuses on reconnecting men and women with, or further strengthening, their culture, strengthening their spirit and connection to country, and building respect for land, self and others. Such approaches do not offer a short-term fix. They are dealing with complex, long-standing traumas that may take many years to fully resolve, if they ever do. We would like to see a system that recognises change is a long-term prospect and values the shorter-term achievements people accomplish through program participation. Recidivism is a key indicator of program success but should not be the only indicator. Attendance at, and completion of a program should be acknowledged as an achievement in itself.

Further and ongoing investment in Aboriginal service providers delivering Aboriginal programs will allow for greater access and is likely to achieve better justice outcomes in the long-term. This will require the development of an Aboriginal workforce with capability and skills in areas of need, within government agencies and in ACCOs. The AJA can assist in this in encouraging the partners to explore opportunities to promote education in health or justice services, promote entry to professions in these fields and to build upon their Aboriginal employment strategies.

Recommendation 9: that the Aboriginal Justice Forum devote time and effort to the development of a justice workforce strategy, including strategies to boost Aboriginal employment in agencies and organisations assisting with the rehabilitation and treatment of offenders and prisoners/detainees.

The experience of youth and young people

Our data gathering centred on the experience of adults in the justice system although the subject of youth was never far from the discussion. Certainly, the RAJACs each had identified youth as a priority focus area. There was a real desire to implement actions that would deter criminal behaviour and prevent first and ongoing contact with the criminal justice system. The focus on youth at RAJACs reflected a conviction that, with the right support, children would choose to refrain from criminal or anti-social behaviours.

Funding provided through the Community Initiatives Program, the Frontline Youth Program and the Koori Youth Crime Prevention Grants has delivered over \$2.5 million towards youth specific projects in the four study regions. The projects have largely focused on reconnecting young people, aged up to 24 years, with their culture, strengthening positive attitudes and self-esteem as well as providing opportunities to develop new skills. The data does not indicate whether the youth involved in these projects had been in contact with the criminal justice system. We have not been able to access any reporting on whether the intended outcomes for these programs have been achieved.

We speculate that the transfer of youth justice to the DJR may exacerbate the disconnection between non-justice agencies and the business units of the DJR. While Youth Justice sat within the Department of Health and Human Services there was a connection between justice and other social services like health, housing, drug and alcohol, etc., at least at an agency level. It is too soon to know what effect the transfer of Youth Justice will have but it is worth keeping a watching brief on this at the regional and state level.

Recommendation 10: that a future evaluation have a primary focus on children and young people up to the age of 24, capturing prevention, early intervention and justice needs and interventions and including an evaluation of responses at key transitions in age and in pathways through services for young men and young women.

KEQ 6: How well does the current mix of AJA3 activity (including processes, programs and services) respond to local community needs and drivers of Aboriginal contact with the justice system in each location?

AJA3 activity is variable across and within the four regions. The RAJAC in each region has been instrumental in identifying the main justice issues of concern. The RAJAC (and LAJACs) have a good understanding of the drivers for contact with the criminal justice system for their communities. As a result, each RAJAC has identified one or two principal areas of focus and promote actions around those focus areas. This approach concentrates effort and would be expected to offer greater benefit than trying to resolve multiple issues simultaneously which is likely to stretch already thin resources.

Some constraints to action on specific issues are the result of centralised decision-making. Government agencies have some, but not extensive, autonomy at the regional level which limits their ability to respond to emerging issues in a timely way. In some cases, it requires a regional manager to refer the matter to their head office for a decision on what actions to put in place.

Another factor impacting on the ability of the RAJAC to make progress on identified issues is the level of influence it has on government agencies (and others) that have their own priorities. These may not always coincide with the priorities of the collective RAJAC members. Government agencies have their own strategies to be pursued and for an agency like Education and Training, for example, their strategies are not typically aimed towards improving justice outcomes. There is an acknowledgement that improving education outcomes can bring about improvement in justice outcomes (e.g. by keeping children engaged in education they are less likely to engage in criminal or anti-social activity) but it is not core business for the Department of Education and Training.

It appears that the influence of RAJACs is increased where there are strong and active ACCOs and Aboriginal leadership advocating for action. It is improved where the ACCOs and leaders work collaboratively towards a shared goal rather than pursuing a singular organisational objective. The RAJAC provides a place to come together to agree on and prioritise objectives. The Koori Women's Diversion Program in Mildura is a good example where a program has been developed in response to a specific identified issue. The issue of women's imprisonment is complex but there was agreement that it was an issue that needed a different way of thinking about how to resolve it. The resolution is multi-faceted and depends upon collaboration and cooperation between key service providers.

In a separate evaluation of the partnership structures of the AJA we have advocated for RAJACs to revisit their Regional Justice Action Plans, identifying the key issues in the region and providing a range of actions to address them. Our recommendation centres on limiting the number of actions to two or three priority areas and focusing on these over a period of 12 months. We reiterate that recommendation here.

Recommendation 11: that the Koori Justice Unit work with RAJACs to prioritise two to three key issues within their Regional Justice Action Plan that will be the focus of attention in the ensuing 12 months.

We have noted in the report that Barwon South West might best be thought as two regions – one centred around Geelong and the other the areas west of Geelong and including Warrnambool, Portland and Heywood. We consider the context in these two areas is sufficiently different to warrant a separation between the two. It is not that we advocate for the justice region to be redefined as such but if place-based initiatives are being considered for the Barwon South West region then there should not be an expectation that a program or initiative designed for Warrnambool will work in Geelong, and vice versa. Following place-based best practice this this would not occur as it would have been identified in the planning for the program or initiative. However, programs that are developed centrally and implemented locally may not necessarily take account of such contextual differences. The situation described for Barwon South West could equally apply in Loddon Mallee with the area around Bendigo being considered distinct from the area to the north around Mildura. Similarly, in the Southern Metropolitan region there is a difference between communities in and around Dandenong and those further east.

We also note that the regional boundaries assigned by the DJR do not necessarily align to cultural boundaries that have meaning to the Aboriginal communities living there. It may be appropriate to redefine the geographic boundaries such that they more accurately reflect the communities living in them and the services that are available to those communities.

Recommendation 12: that, to better reflect different social, economic and environmental contexts, DJR determine the need for and benefits that might result from assessing needs and planning the delivery of AJA place-based initiatives at the level of sub-regions, towns and communities.

KEQ 7: What are the opportunities to improve service, coverage and integration of AJA initiatives to progress justice outcomes in the locations?

Our key recommendations for improving service delivery centre on increasing the capacity (i.e. number of individual and organisational service providers across the state) and capability (i.e. the skills and expertise of Aboriginal employees in community and government organisations) of those with a responsibility for delivering justice services to Aboriginal offenders and prisoners.

The evidence-base for what works in justice services is lacking. Few evaluations, this one included, have explored the factors that make for successful programs in great depth. We have skimmed the surface to identify that programs delivered with cultural relevance have shown to be successful at promoting engagement and improving the social and emotional wellbeing of participants. To what extent this translates to reducing offending behaviours cannot be definitively stated. More research is needed. There are likely opportunities for collaboration between government agencies and academic institutions across the country. Similarly, agencies in Victoria might look to establishing collaborative research proposals with their counterparts in other jurisdictions. If the cost of research can be shared then the burden on one agency acting alone can be significantly reduced.

Recommendation 13: that opportunities to collaborate on research projects to evaluate success factors for program delivery to Aboriginal offenders and prisoners be investigated with a view to developing new, or improving existing, service delivery. The findings from the research should be publicly available on completion of the study to further knowledge sharing.

KEQ 8: Is it possible to assess the cost and benefits of the AJA in each location?

We strongly believe there is a high potential for false calculations to emerge from an economic assessment of a complex program addressing a complex problem. The challenge is captured well by Payne (2006) who has cautioned on the use of cost evaluations in evaluations of specialty courts:

Cost evaluations, particularly cost-benefit evaluations are a crude measure of financial success because they only account for nominal benefits which can be valued in financial units. Such evaluations cannot determine or measure the other benefits derived from a specialty court program. For example, what monetary value can be placed on a participant's capacity to re-kindle their relationship with an estranged family member? ... In this sense, cost evaluations ... often underestimate the true benefits delivered by a program to a participant and the community.

This could apply equally as well to an evaluation of the AJA. In our view the AJA presents even more challenges to cost evaluation than a specialty court. Just one case in point, how do we measure the costs and benefits of the hours that proponents of the AJA put into resolving issues that go beyond their paid role? In conducting this evaluation, we have been hard-pressed to definitely identify some programs as being under the umbrella of the AJA. Should we consider a program delivered by the Department of Education that helps to keep Aboriginal children in school as an AJA program even if it achieves positive justice outcomes. There are many more contributions that would not, and some might argue, cannot be monetised.

We are not suggesting that no analysis of costs and benefits should be conducted. We do caution that a diligent cost-benefit analysis will need to ensure all costs are identified, even those that are difficult to quantify. It is generally more difficult to quantify benefits. Economic benefits are generally more accessible and quantifiable than social benefits. In either case, there is a need for good data and this is patchy at best.

Programs and initiatives implemented under the AJA are being delivered by government agencies and community organisations, including some small organisations with very limited resourcing. We have encountered no robust evidence of the outcomes achieved by these programs. For most we have not been able to access any data on the activities conducted, nor outputs from those activities. This lack of data seriously undermines any efforts to understand the costs and benefits of the AJA. Until this data is routinely collected and shared with the KJU there is a real risk that an evaluation would inadequately account for all of the costs and all of the benefits.

Recommendation 14 – that systems for data collection during the implementation of Government programs be strengthened to monitor, track and evaluate the inputs, outputs and outcomes of the program. Further, where public funding is provided to community organisations these organisations should be supported to establish their own system for monitoring, tracking and evaluating the programs/projects enabled through the funding. Grant funding agreements should require grantees to provide ongoing monitoring data and a final evaluation report to the funding body throughout, and at the completion of the funding period. For AJA initiatives, such data should be made available to the KJU, if they are not the funder, to allow for the compilation of an AJA dataset that can be made available to future evaluation studies.

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Acronyms

AAL	Aborigines Advancement League
ACCHO	Aboriginal Community Controlled Health Organisation
ACCO	Aboriginal Community Controlled Organisation
ACLO	Aboriginal Community Liaison Officer
AJA	Aboriginal Justice Agreement
AJA2	Aboriginal Justice Agreement Phase 2
AJA3	Aboriginal Justice Agreement Phase 3
AJF	Aboriginal Justice Forum
AOD	Alcohol and other drugs
AWO	Aboriginal Wellbeing Officer
CCO	Community Correction Order
CCS	Community Corrections Services
CIP	Community Initiatives Program
CMRM	Case Management Review Meeting
CSA	Crime Statistics Agency
DHHS	Department of Health and Human Services
DJR	Department of Justice and Regulation
DPFCC	Dame Phyllis Frost Correctional Centre
FVPLS	Family Violence Prevention and Legal Service
KCEO	Koori Court Engagement Officer
KJU	Koori Justice Unit
KRG	Koori Reference Group
KYJP	Koori Youth Justice Program
KYJW	Koori Youth Justice Worker
LAJAC	Local Aboriginal Justice Action Committee
LAN	Local Aboriginal Network
LGA	Local Government Area
LJW	Local Justice Worker
LJWP	Local Justice Worker Program
MAYSAR	Melbourne Aboriginal Youth Sport and Recreation
NPACC	Northern Police Aboriginal Consultative Committee
PALO	Police Aboriginal Liaison Officer
PIP	Prison Invisit Program
RAJAC	Regional Aboriginal Justice Advisory Committee
RCIADIC	Royal Commission into Aboriginal Deaths in Custody
SALO	Sheriff's Aboriginal Liaison Officer
SHSC	Specialist Homelessness Services Collection
SIAPC	Statewide Indigenous Arts in Prison and Community
VACCA	Victorian Aboriginal Childcare Association
VACSAL	Victorian Aboriginal Community Services Association Limited
VAHS	Victorian Aboriginal Health Service Cooperative Limited
VALS	Victorian Aboriginal Legal Service
VAP	Victims Assistance Program
VEMD	Victorian Emergency Minimum Dataset
VEOHRC	Victoria Equal Opportunity and Human Rights Commission
VIC	Victoria

Introduction

This is the report of an evaluation of one aspect of the outcomes of Phase 3 of the Aboriginal Justice Agreement (2013-2018). The focus is on the 'place-based' approach, where local Aboriginal communities develop solutions responsive to local needs. To that end, the evaluation focused on four regions of Victoria.

The evaluation team spoke to stakeholders individually and in groups, observed meetings, reviewed research and evaluation literature and analysed AJA-related documents and available data.

The report is structured as follows: Sections 1 to 6 describe the evaluation approach and sets the state-wide context: the evolution of the Aboriginal Justice Agreement (AJA) since 2000 as a partnership between the Victorian Government and the Aboriginal community; the characteristics of a successful place-based approach; the contemporary legislative landscape and the impact on Aboriginal people of changes relating to family violence, bail provisions and sentencing; an overview of AJA3 initiatives in policing, the courts, corrections and youth justice, and in the provision of funding to communities; and findings from prison data and interviews with prisoners and staff.

The four Sections 7 to 10 are case studies of the four regions chosen by the Koori Justice Unit for a place based evaluative focus: Barwon South West, Loddon Mallee, Northern Metropolitan and Southern Metropolitan.

Section 11 summarises findings against key characteristics of a place based approach and answers the key evaluation questions. Recommendations for action during AJA4 are identified.

We have found that initiatives and programs implemented under the umbrella of the AJA are achieving positive outcomes in the regions studied. The AJA has continued to promote a place based approach to justice that is more therapeutic and less punitive. Our recommendations, refined in dialogue with an Evaluation Steering Group, relate to: assessing the adverse impact of legislative changes; a justice workforce strategy and several specific workforce improvements; access to culturally appropriate programs for Aboriginal offenders (young and adult) in the community and in prisons; facilitation of community members' involvement in Regional Aboriginal Justice Advisory Committees; resourcing issues for RAJACs and for Gathering Places; and future data collection and evaluation.

1. Aboriginal Justice Agreements 2000 – 2017

1.1.1. Aboriginal Justice Agreement Phase 1

The Aboriginal Justice Agreement (AJA) was established in June 2000 as a partnership between the Victorian Government¹ and the Aboriginal community to improve justice outcomes for Aboriginal people. Establishment of the agreement came in response to the recommendations emerging from the Royal Commission into Aboriginal Deaths in Custody in 1991. Following the release of the Commission's findings, the Commonwealth, States and Territories agreed to develop a national response to the Commission's recommendations. This response was to include full consultation with Aboriginal people, community organisations and peak bodies.

The aim of the AJA Phase 1 (AJA1) was:

To minimise Indigenous over-representation in the criminal justice system by improving accessibility, utilisation and effectiveness of justice-related programs and services in partnership with the Aboriginal community.

AJA1 was accompanied by an action plan containing 51 initiatives clustered around the six primary objectives of:

- **Community participation** – *to achieve maximum Aboriginal community participation in the process for legislative, policy and program development, service delivery and monitoring and review.*
- **Development of culturally appropriate programs and services** - *identify and respond effectively to the needs of Aboriginal people through the development and delivery of culturally appropriate policies programs and services.*
- **Development of a coordinated and strategic approach** - *development of a co-ordinated and strategic whole-of-government approach ensures that the design, development, delivery and monitoring of programs and services for Aboriginal people is in accordance with the Aboriginal Justice Agreement*
- **Delivery of fair and equitable justice services** - *address issues that limit or prevent Aboriginal access to legal protection and ensure that the discretionary administration of law does not adversely impact on Aboriginal people and culture*
- **Increasing community safety, security and wellbeing** - *develop targeted strategies to address the underlying economic, social and cultural issues behind the breakdown of families and the over-representation of Aboriginal people coming into contact with the juvenile and criminal justice systems*
- **Reducing the risk for Aboriginal children and youth** - *through the development of a whole-of-government approach, focus on strengthening families and primary care prevention as a means of reducing the risk of involvement of Aboriginal children and youth in the justice system.*

Oversight for AJA1 rested with the Aboriginal Justice Forum (AJF), made up of representatives from Victorian Aboriginal community organisations including the Aboriginal and Torres Strait Islander Commission, Tumbukka Regional Council, Binjirru Regional Council and Aboriginal Justice Advisory Committee; state government agencies and/or entities (Department of Justice, Corrections Victoria, Victoria Police, Department of Human Services, Department of Education, Employment and Training,

¹ Specifically, the then Department of Justice, Department of Human Services, the Victorian Aboriginal Justice Advisory Committee, the Aboriginal and Torres Strait Islander Commission

Equal Opportunity Commission) and Victorian Courts. The AJF was supported by the Aboriginal Justice Working Group, set up to advance inter-agency coordination of programs and services, and to provide support to Regional Aboriginal Justice Advisory Committees (RAJACs). Representatives from a similar range of Government and community organisations contributed to the functioning of the Working Group with additional contribution from the Victorian Aboriginal Legal Service and the Crime Prevention Agency.

An evaluation of AJA1 was conducted in 2004 and reported in April 2005 (Atkinson, Kerr & Associates 2005). While the review found no “compelling evidence that over-representation is diminishing” (p2) the authors noted the short time frame over which the AJA had been operating and the efforts that would be required to address entrenched social disadvantage in many Victorian Aboriginal communities. Notwithstanding this, the review noted the substantial progress made on the majority of the initiatives proposed and recommended the continuation of the AJA into Phase 2.

1.1.2. Aboriginal Justice Agreement Phase 2

The AJA Phase 2 (AJA2) was signed in 2006 (to 2012) maintaining the aim of Phase 1 and adding a second aim:

... to have a Koori community, as part of the broader Victorian community, that has the same access to human, civil and legal rights, living free from racism and discrimination and experiencing the same justice outcomes through the elimination of inequities in the justice system.

AJA2 defined six objectives as follows:

- **Crime prevention and early intervention** - Reduce the number of Koori youth coming in contact with the criminal justice system by promoting protective factors and reducing risk factors for offending behaviour.
- **Diversion/Strengthening alternatives to imprisonment** - Increase the rate at which justice agencies divert Koories from more serious contact with the criminal justice system and strengthen community-based alternatives to imprisonment.
- **Reduce Re-offending** - Reduce the rate at which Koories re-offend by changing environmental and behavioural factors that contribute to that offending.
- **Reduce victimisation** - Reduce the negative impact that the high rate of victimisation has on Koori communities, families and individuals so that intergenerational contributors to offending are reduced.
- **Responsive and inclusive services** - Make mainstream and positive justice-related services more responsive and inclusive of the needs of the Koori community.
- **Strengthen community justice responses** - Build capacity in and strengthen Koori communities so they are better able to improve their justice outcomes, particularly through the delivery of place-based initiatives.

The base funding of approximately \$6 million from AJA1 was supplemented in Phase 2 with additional annual funding of \$7.3 million, bringing the annual budget of AJA2 to \$13.4 million. This funding supported the operation of the Koori Justice Unit (KJU) within the Department of Justice and Regulation, provided funds to other justice agencies (Corrections Victoria, Courts, Department of Human Services, and Victoria Police) and supported the operational aspects of local committees: Regional Aboriginal Justice Advisory Committees (RAJACs) and Local Aboriginal Justice Action Committees (LAJACs).

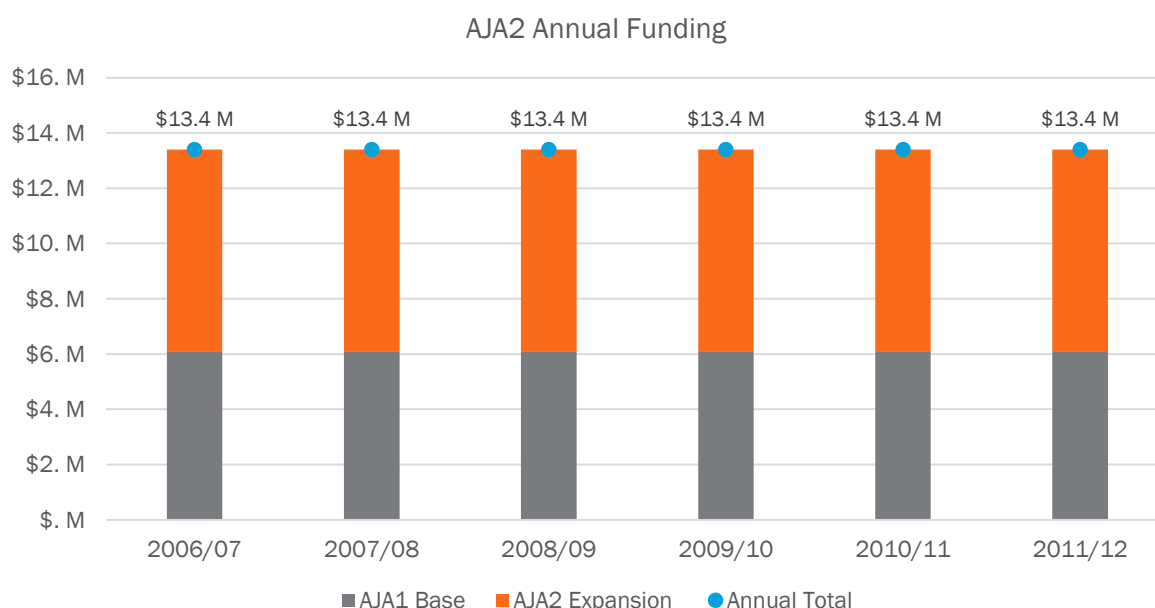


Figure 1-1: AJA2 annual funding 2006-2012

Funding was directed towards strategies aimed at prevention, early intervention, increased diversion, reduced re-offending and interventions at every point in the criminal justice system. There was a focus on making the justice system more responsive and inclusive to Aboriginal people. AJA2 adopted a place-based approach to establishing initiatives in partnership with local communities, recognising the importance of ‘community voice’ in building capacity to address justice issues locally.

Direction for what place-based initiatives might be pursued was provided through the *Regional Action Plans* developed by the RAJACs. These plans identified the primary criminal justice issues in the region and contained a number of actions that would be pursued through the period of the Plan to address those issues. Progress against the Plan was tracked at each RAJAC meeting.

The independent evaluation of the AJA2 in 2012 found that, although there continued to be over-representation of Aboriginal people in the justice system, the number would have been greater if not for the AJA2 (Nous Group 2012). The evaluation reported positive outcomes such as a reduction in the number of youth coming into contact with police and a reduction in the number of Aboriginal people re-offending. Further, the evaluation noted that community-based justice responses had increased along with an increase in the responsiveness of Justice Services. The place-based approach adopted in AJA2 was seen as providing stronger connection to the AJA for the broader Aboriginal community. The evaluation recommended a continuation of the place-based approach in subsequent phases of the Agreement.

1.1.3. Aboriginal Justice Agreement Phase 3

AJA3 aimed to build on the work done in the Phases 1 and 2 with the following six strategic objectives:

- continued focus on crime prevention and early prevention
- continued emphasis on diversion and strengthened alternatives to imprisonment and extending this emphasis across the justice system
- reduce reoffending with increased focus across the justice system
- reduce victimisation and expand focus to include reducing conflict and violence as well as victimisation

- increased focus on responsive and inclusive services through Koori Inclusion Action Plan and Koori Employment Strategy 2011-15
- expanded focus on community justice responses, to also include increasing community safety.

Twenty eight strategies and 82 sub-strategies are described in the Agreement. The AJA3 focus is on building stronger families and safer communities as a means of improving justice outcomes. Following consultation with communities, strategies were designed in collaboration to meet the needs of the local communities in which they were operating. The place-based approach has been continued in AJA3 as an acknowledgment that traditional models of government service delivery have proven ineffective in addressing the levels of disadvantage experienced by Victorian Aboriginal people. Although many initiatives within AJA3 do not have a criminal justice-specific focus, they address the drivers of offending behaviour such as poor infrastructure, low education levels, high unemployment and low community capacity (Gilbert, 2012).

AJA3 was underpinned by a recurrent budget allocation which supports the administration of the Agreement and implementation of key initiatives, such as Koori Courts and Aboriginal Community Liaison Officers (ACLOs). New AJA3 action implementation has been largely unfunded through government budget processes. This has necessitated a focus on making improvements in the delivery of existing programs, services and infrastructure including process improvements (e.g. improving the referral, intake or case management process) or product delivery improvements (e.g. procedural documents or program reviews) (Koori Justice Unit 2016). Funding has also been supplemented from time to time by leveraging funding off other funded activities and opportunities.

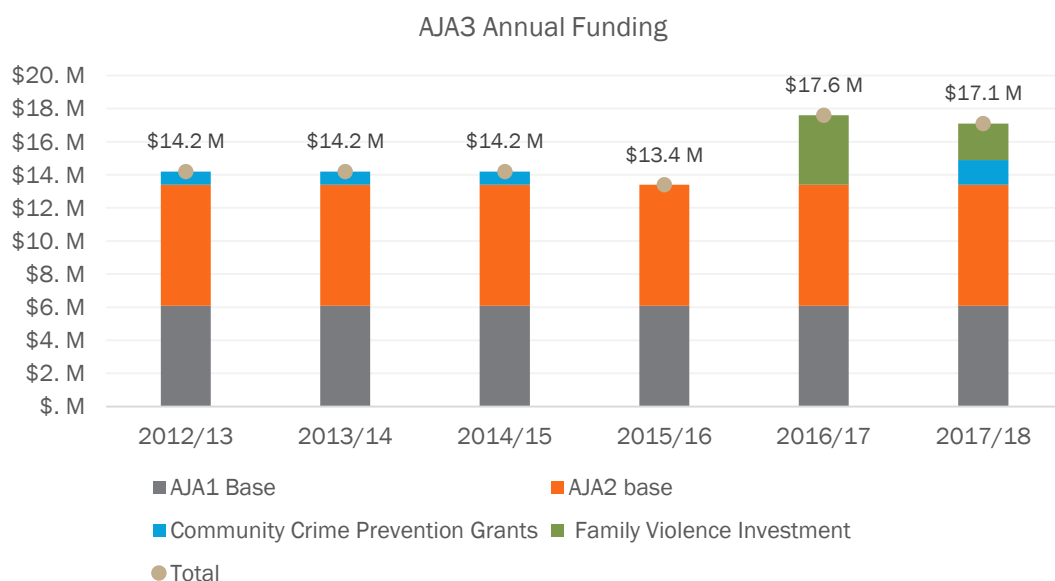


Figure 1-2: AJA3 annual funding 2012-2018

Although new funding was not made available through the Budget processes for the third phase of the Agreement, the funding that had been provided for AJA1 and AJA2 continued. As the new initiatives identified in AJA3 were unfunded, the KJU and other business units were required to either attract funding from other sources or to fund initiatives from existing budget allocations. This has included:

- Grants funding via the Community Crime Prevention Unit, comprising:
 - \$2.4 million for the Koori Community Safety Grants program in 2012/13
 - \$1.5 million for the Koori Youth Crime Prevention Grants in 2017/18

- Funds via the 2016/17 Family Violence Investment Package, comprising:
 - \$1.55m for the Koori Women's Diversion Program
 - \$2.6m to recruit an Aboriginal Dispute Resolution Team in the Dispute Settlement Centre of Victoria
- In the 2017/18 state budget, further funding was received for multiple family violence initiatives:
 - \$3.66m over four years and \$1.21m ongoing was allocated to the continuation of the Koori Women's Diversion Program and its expansion to a fourth site.
 - \$3.19m over four years and \$1.06m ongoing to continue the Aboriginal Dispute Resolution Program.
 - \$11.0 million for culturally appropriate family violence legal services for Aboriginal communities.
 - Djirra (the Aboriginal Family Violence Prevention Legal Service) received \$4.29m (and \$1.43m ongoing) to offer its *Sisters Day Out*, *Dilly Bag* and *Young Luv* programs. They also received funding to pilot the Koori Women's Place in Abbotsford.
 - Dardi Munwurro received \$3m over four years and \$750,000 ongoing to commence the Ngarra Jarranounith intensive residential program for Aboriginal male perpetrators.

Since 2013-14, DJR, Courts, Corrections Victoria, and Victoria Police have contributed discretionary funding to increase the scale or scope of AJA initiatives



Every problem magnifies the impact of the others, and all are so tightly interlocked that one reversal can produce a chain reaction with results far distant from the original causes. A rundown apartment can exacerbate a child's asthma, which leads to a call for an ambulance, which generates a medical bill that cannot be paid, which ruins a credit record, which hikes the interest rate on an auto loan, which forces the purchase of an unreliable used car, which jeopardizes a mother's punctuality at work, which limits her promotions and earning capacity, which confines her to poor housing ... If problems are interlocking, then so must solutions be. A job alone is not enough. Medical insurance alone is not enough. Good housing alone is not enough. Reliable transportation, careful family budgeting, effective parenting, effective schooling are not enough when each is achieved in isolation from the rest².

Shipler 2004. p. 11.

2. A Place-Based Approach

Wiseman has defined a *place-based approach* as “one that seeks to address the collective problems of families and communities at a local level, usually involving a focus on community-strengthening – efforts to strengthen the engagement, connectedness and resilience of local communities” (Wiseman, 2006). Such approaches² are identified in the literature as being well-suited to dealing with complex wicked problems including, but not limited to, Aboriginal disadvantage experienced in a particular geographic location (Bellefontaine & Wisener, 2011; Shugart & Townsend, 2010; Gilbert, 2012).

By their very nature, complex problems are multi faceted and require the input of multiple stakeholders to design and implement suitable responses. The aim of place-based approaches is to strengthen communities and build their resilience to address issues at the local level in ways which are relevant and sustainable at that time and into the future. They target communities rather than individuals, and recognise that as localities differ, “...each will raise unique solutions” (Centre for Community Child Health, 2011; 2012: 5). The strongest justification supporting place-based approaches, according to Byron (2010), is that they lead to responses to people *and* place and provide a platform for the delivery of a more integrated and holistic suite of services and supports.

Far from being viewed as a replacement for mainstream approaches, they are widely considered to provide a complementary form of support that can be used where the breadth and complexity of disadvantageous factors may limit people's ability to benefit from mainstream services and supports. Indeed, the overall success of place-based programs is largely considered to be contingent on the extent to which targeted place-based policies and mainstream people-based services and support are integrated and mutually reinforcing (Byron 2010: 21).

From a comprehensive investigation of place-based initiatives from across the world, Wilks and others (2015) have noted the tendency for some initiatives to focus on ‘place’ (geographic areas) and others

² Sometimes referred to as area-based approach; neighbourhood approach; integrated approach; district approach and community based approach (Parker & Maynard, 2015).

to focus on 'person' (the socio-economic characteristics of the population) or, more recently, to have a focus on both simultaneously using:

- **Spatial targeting:** initiatives designed with sensitivity to boundary issues and the shape of the "natural community". For place-based initiatives aiming to address Aboriginal disadvantage the natural community might be defined culturally and correspond to the area occupied by particular language groups or clans.
- **Social targeting:** focuses the initiative on particular population groups. In the case of AJA initiatives, the social grouping is already defined as Aboriginal people living within the geographic boundary. Targeting can be further refined within the broader population, as has been the case for some AJA place-based initiatives. For example, many target youth and the Women's Diversion pilot in Loddon Mallee has targeted female offenders.

2.1. AJA3 emphasis on place

Reconciliation Victoria argues that the strength of the Aboriginal community is reflected in the range of Aboriginal organisations and networks in the region. These organisations are seen as vital to the health, wellbeing and liveliness of the Aboriginal community. Not only do they offer physical services in the areas of health, law or housing, they act as focal points for the local Aboriginal community and the mainstream service sector.³

Types of Aboriginal organisations and networks found across the state include:

- **Aboriginal Community Controlled Health Organisations (ACCHOs) and Aboriginal Community Controlled Organisations (ACCOs)** deliver a range of services (health, welfare, justice, housing, community services, arts) and are often a focal point within a community.
- **Traditional Owners Groups** – Traditional Owners are Aboriginal people who have an ongoing relationship with their traditional country that precedes European settlement.
- **Registered Aboriginal Parties** – The Victorian Aboriginal Heritage Council appoints Registered Aboriginal Parties (RAPs) to protect and manage cultural heritage under the *Aboriginal Heritage Act 2006*.
- **Peak and State-wide bodies** – There are a number of organisations that represent Victoria's Aboriginal community priorities and/or provide services in locations across the state. These include the Victorian Aboriginal Community Controlled Health Service, Victorian Aboriginal Community Services Association Limited, Aborigines Advancement League, Victorian Aboriginal Child Care Agency, Victorian Aboriginal Legal Service, Victorian Aboriginal Education Association Inc., and Aboriginal Housing Victoria.
- **Local Aboriginal Networks (LANs)** are made up of Aboriginal people who work together to provide a voice for their community, identify local issues and priorities and plan for the future. There are 39 LANs operating across the State that regularly engage with Aboriginal people living in Victoria.
- **Other local and regional Aboriginal community engagement structures** – The Aboriginal community operates a number of engagement structures to ensure it is inclusive of members of its community, for example in justice, family violence and education.

³ Reconciliation Victoria's Maggolee website resource for local councils to work more closely with Aboriginal communities at <http://www.maggolee.org.au/engagement-and-participation/just-a-page-1/>.

A key objective for AJA3 is to improve community justice responses through increasing community strength and capacity to develop local solutions to local issues. This objective captures the intent to implement place-based strategies in response to findings from the evaluation of AJA2. This earlier evaluation found regional variation in outcomes that was, in part, attributed to the effectiveness of programs that were more responsive to the specific needs of a particular place.

At the commencement of AJA3 the KJU Monitoring and Evaluation team developed a program logic model to clarify the theory behind the approach taken and describe the planned activities and outputs under AJA3 and how these aim to contribute to interim and long term outcomes. In developing the program logic, the Evaluation Branch identified three pathways to outcomes: through systems and service capacity, through contact with the criminal justice system, and through community strengthening. Place-based initiatives have impact in all three outcome areas but are particularly centred on community strengthening. The AJA3 Monitoring and Evaluation Plan describes the logic in the community strengthening outcome area as shown in Box 2-1 and the pathway is shown in Figure 2-1. We acknowledge that this program logic was prepared at the commencement of the AJA3 and has not been revised since then. As a result, it may not accurately reflect the activities that have been implemented under the Agreement. It is included here to show how the long-term outcomes were expected to be achieved and has helped to guide our analysis of the initiatives under evaluation. It also highlights that place-based initiatives are only one of a number of activities designed to effect change.

Community strengthening

Activities in this area include community awareness raising and training opportunities, community development plans and processes, and programs and services for victims, and youth strengthening activities. These areas all interrelate and overlap in their ability to influence initial and sustained contact with the criminal justice system.

Responses in this area are not necessarily within remit of the justice system, but include activities undertaken by the Department of Health and Human Services and Department of Education and Training, among others. It includes collaborative activity between justice services and other parts of the service system.

Long term outcomes in this area include:

- Increased community safety
- Reduced violent offending
- Reduced family violence
- Reduced youth contact with police

Box 2-1: Activities to support community strengthening (AJA3 Monitoring and Evaluation Plan, KJU, 2013)

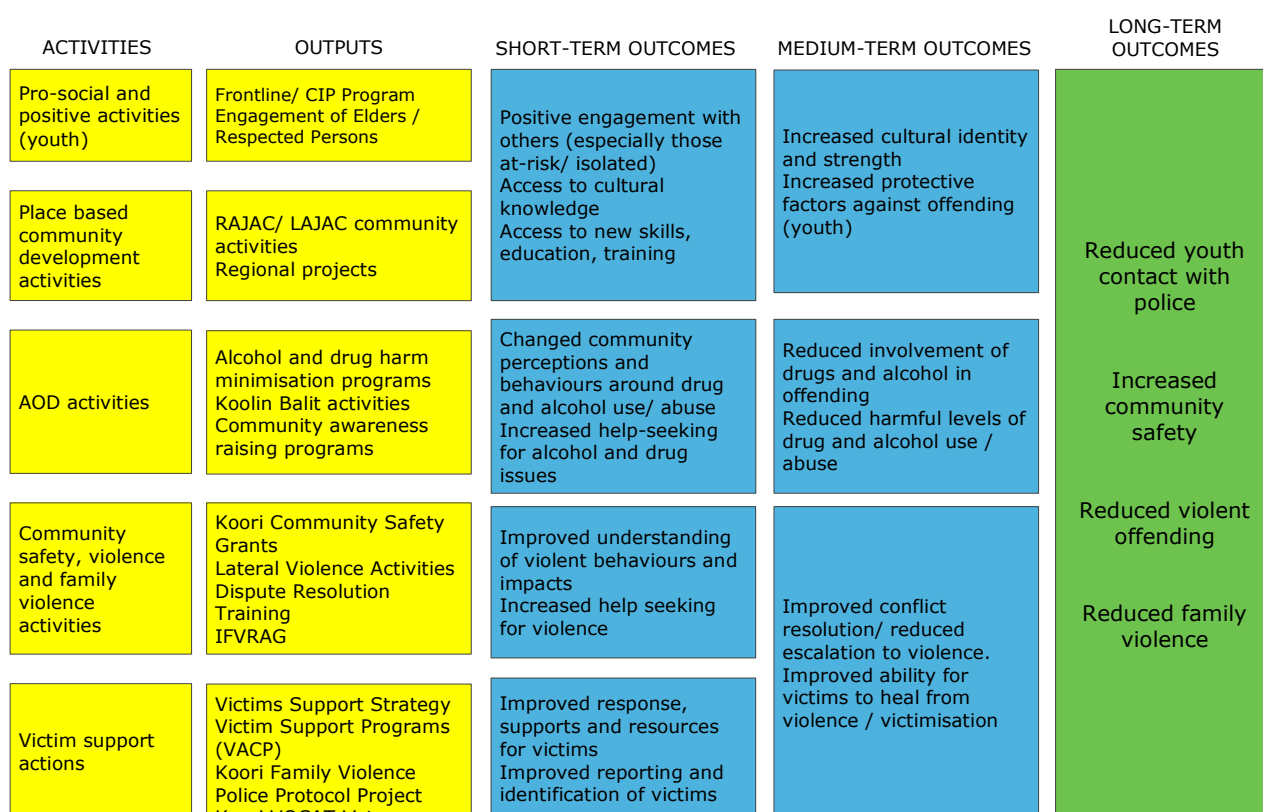


Figure 2-1: Broad based community strengthening pathway program logic model (AJA3 Monitoring and Evaluation Plan, KJU, 2013)

The logic for inclusion of place-based activities under the AJA3 suggests that programs initiated at the regional level and co-ordinated through the RAJACs or the LAJACs would allow for ‘positive engagement’ with program design informed by ‘local knowledge’. The logic implies that implementation of locally-designed programs would facilitate skills development, as local Aboriginal organisations (and individuals) would be exposed to new opportunities to learn. Ultimately, the place-based programs could deliver positive outcomes for beneficiaries as well as strengthening the capacity of those involved in program delivery.

2.2. Characteristics of an effective place-based approach

2.2.1. Evaluation evidence for place-based approaches

Moore et al (2014) identified that limited evidence was available for place-based approaches due to variation in evaluation methodologies used and the absence of long term evaluations. Similarly, Gilbert (2012) noted that “*it can be difficult to separate the influence brought to bear by existing [place-based] initiatives ... in achieving improvements in community wellbeing*”. This is due to the fact that there are typically multiple initiatives running within communities and usually over a considerable length of time. This adds to the complexity of linking outcomes with any individual initiative.

Gilbert (2012) noted, however, that although there is little documented evaluative evidence of the success or otherwise of place-based initiatives, they do have the potential to effect meaningful change within Aboriginal communities.

2.2.2. A framework for place-based inquiry

The research and evaluation evidence has shown (Larsen 2007, Parker & Maynard 2015; Vinson 2009a, Wilks et al 2015) that successful place-based initiatives tend to share a set of common characteristics. We have used these characteristics as a framework for developing interview questions to evaluate the effectiveness of the place-based approach that has been advocated through AJA3, although somewhat more narrowly defined than the literature advocates. Our reporting focuses on the extent to which specific initiatives have built in these components and to critically assess what effect that has had on their delivery and the successes achieved.

The key common characteristics arising from our analysis and research lie in the seven domains of engagement, participation, leadership, time, relevance to context, flexibility in delivery, and joined up working:

- **Engagement:** Extensive local community engagement is at the heart of all successful place-based partnerships.
- **Participation:** Allison and Cunneen (2013) and Bellefontaine & Wisener (2011) contend that programs are more likely to be implemented successfully and are more likely to achieve their intended outcomes if they incorporate quality community engagement. Involving the local community in developing responses to local issues creates services that are grounded in local needs and conditions and are more likely to be accepted by the community. The approach should lead to clearly defined and agreed goals and clear, tangible benefits (Wiseman, 2006)
- **Leadership:** Community and organisations need to have the capacity to design and implement place-based initiatives to respond to the issues to be addressed. At the outset, capacity resides in the leaders or drivers of an initiative and it is their responsibility to enable capacity building to occur.

Successful place-based initiatives include a local decision-making body that brings together service providers (e.g. non-government community service representatives), community leaders (e.g. local council representatives, local businesses), local decision makers (e.g. departmental officers) and people with lived experience of the problems that are trying to be solved.

An important role for community leaders is to facilitate the strengthening of community by establishing connection and trust between people and organisations. This assists with building confidence for self-management and problem solving, so that community members are equipped to “pull together” to achieve common goals (Moore & Fry, 2011, Wiseman (2006). Community capacity is not a given. It requires nurturing and the investment of time and resources. The more disadvantaged a community the less practised it is in working in a focused, collaborative way (Vinson 2009a).

- **Adequate time:** Problems that have often been decades in the making cannot be reversed in a few short years. Designing an initiative that responds to the complexity of the problem to be addressed and that takes account of the common elements noted above requires sufficient lead times to build relationships and capacity. Time also needs to be allowed to fully understand the context in which the initiative is operating. The factors contributing to Aboriginal over-representation are well understood and there is acknowledgement that a long-term focus is necessary to ‘turn the tide’. Such a long-term focus requires sustained investment through the allocation of long-term funding. Stable, dependable and predictable policy is seen to be imperative in the successful delivery of place-based initiatives (Wilks et al 2015). This is often difficult with changes of government, even with bipartisan support. A long-term focus by necessity demands adequate funding to maintain momentum. Some consideration should also be given to brokered solutions, as opposed to traditional competitive models of grant allocation. The

competition created through traditional models is at odds with a collaborative approach, and only encourages competition between local organisations that would achieve more through working together.

- **Context:** At the heart of place-based initiatives is attention to the characteristics that differentiate markedly disadvantaged areas from other areas. Further, attention to the specific needs of the area, identified either by formal indicators or through engagement, helps to target the program spatially and socially.
- **Flexible delivery:** refers to having autonomy in how a program is delivered locally as well as discretion in how funding is utilised. “The ability to adjust the rules in order to adapt government place-based policies and programs to meet the needs of local communities is considered vital to the success of place-based initiatives” (Wilks et al 2015: 7). It is important to adopt an evolving process that allows for adaptive learning and stakeholder interests, and to be opportunity driven, drawing on local talent and resources, and considering local constraints (Bellefontaine & Wisener 2011)
- **Joined-up working:** coordinating and developing partnerships leading to effective engagement between organisations within local areas across the government, private and community sectors. The approach should be integrated across ‘silos, jurisdictions and dimensions of sustainability in an effort to achieve synergies’ (Bellefontaine & Wisener, 2011).

Katz (cited in Wilks et al 2015) proposes partnerships between local organisations with complementary strengths and a mix of skills and experience in order to deliver holistic place and people-focused interventions. Programs implemented under the umbrella of the AJA3 must be responsive to the cultural context and include Aboriginal service providers, preferably as the primary service delivery agent. This requirement is challenging when there are few, or under-resourced, local organisations available to enter into partnerships or implement programs.

3. AJA3 in context

Leading up to the signing of AJA3 and during its operation a number of legislative reforms in the criminal justice space were enacted that have disproportionately impacted Aboriginal people in Victoria. Following is a brief discussion of the major reforms implemented as part of a ‘tough on crime’ agenda. These reforms related to family violence, bail provisions and sentencing.

3.1. Reforms in family violence

The issue of family violence was brought to the fore in the wake of a series of family violence-related deaths in Victoria. A Royal Commission into Family Violence was established in 2015, tasked in part to “develop and refine systemic responses to family violence—including in the legal system and by police, corrections, child protection, legal and family violence support services”.

Research commissioned by the Royal Commission tracked family violence incidents in Victoria between 2009 and 2014. Over that period, the incidence of family violence had increased across all aspects of the family violence system. The number of family violence incidents recorded by Victoria Police increased by 82.7 per cent; the number of finalised applications heard in the Magistrates’ and Children’s court increased by 34.5 per cent and 33.0 per cent respectively; the number of people accessing family violence services increased by 11.7 per cent; and the total number of services provided by Victoria Legal Aid where the primary matter was family violence-related also increased in the five years from July 2009.

Aboriginal and Torres Strait Islander data were only available in the Victorian Emergency Minimum Dataset (VEMD), Victims Assistance Program (VAP) and Specialist Homelessness Services Collection (SHSC) datasets⁴, with data either not recorded or of low quality amongst the other contributing datasets. In the five years from July 2009, the proportion of recorded Indigenous status across these three datasets has remained relatively stable. In 2013–14, 5 per cent of patients in the VEMD and VAP datasets identified as Aboriginal, and in the three years to July 2011, on average 10 per cent of SHSC clients identified as Aboriginal. Police data contained within the Crime Statistics Agency Aboriginal Justice Indicators – Victoria Police dashboard reviewed for this evaluation shows data for the period 2012 to 2016. The number of offences where the other party was Aboriginal has remained relatively static over the period in the four regions under investigation, as the figures below indicate.

⁴ The Victorian Emergency Minimum Dataset contains information detailing presentations at Victorian public hospitals with designated Emergency Departments; Data collected from the VAP includes demographic information of the victim, location data, information on the crime type and how the client was referred to the agency; SHSC data is sourced from agencies providing homelessness services.

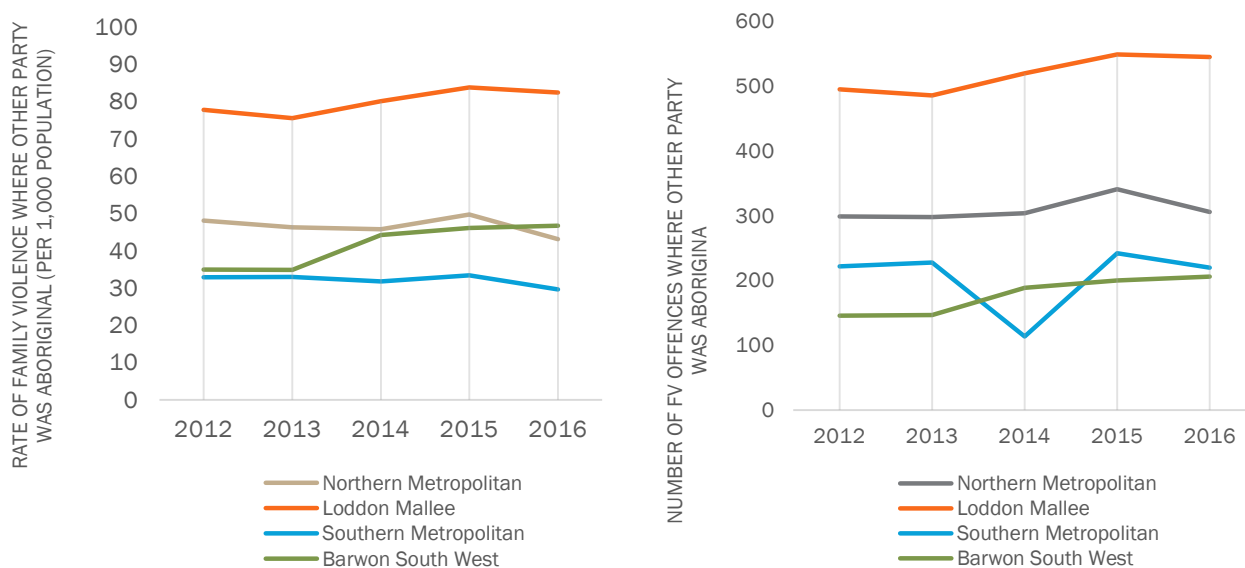


Figure 3-1: Rate and number of family violence incidents where other party was Aboriginal (Source: Crime Statistics Agency Aboriginal Justice Indicators)

The data, however, does not correspond to information we were hearing from agencies and communities during this evaluation. Without exception, when they referred to Aboriginal family violence, interviewees talked about how it was increasing and of the deleterious impact it had on individuals, families and communities. We suspect that the disparity between the ‘official’ data and the perceptions on the ground is because the recording of Aboriginal status by justice agencies does not accurately reflect an individual’s Aboriginality. The data presented to the Royal Commission, however, does show an alarming increase in the number of Aboriginal family members affected by family violence, particularly when seen in comparison to the non-Aboriginal population as shown in Figure 3-2 below. An Aboriginal person was at least 7.3 times more likely than a non-Aboriginal person to be an affected family member in a family violence incident (State of Victoria, 2016).

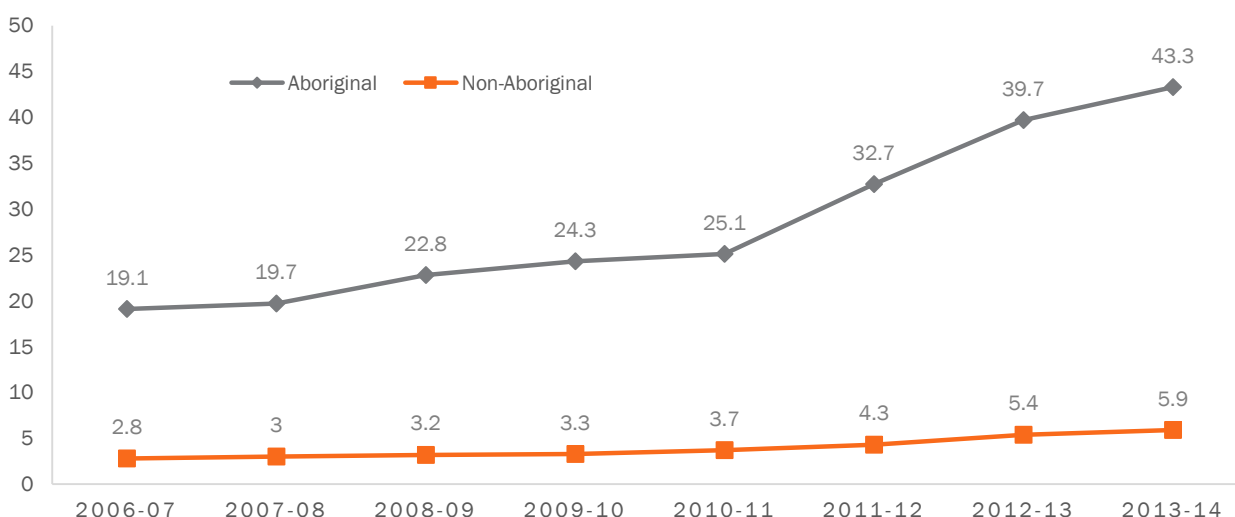


Figure 3-2: Family violence incidents per 1000 population: Indigenous and non-Indigenous affected family members, 2006-07 to 2013-14 (Source: State of Victoria, 2016)

3.2. Reforms to bail management

A 2010 amendment to the *Bail Act 1977* required that bail decision-makers must take account of a person's Aboriginal status when making a determination. Further, courts must take account of issues that arise because of a person's Aboriginality, including consideration of

- the person's cultural background, including the person's ties to extended family or place
- any other relevant cultural issue or obligation (Section 3A, *Bail Amendment Act*, 2010).

In the five years following proclamation of the *Bail Amendment Act 2010* there was a 90 per cent increase in the number of bail applications in the Magistrates' Court. The number of Aboriginal people released to bail increased over the period 2009-10 and 2014-15 from 71 to 252 (Corrections Victoria, 2016a).

Further amendment to the Act occurred in 2013 and sought to: list commonly imposed bail conditions; make it an offence to contravene certain bail conditions; make it an offence to commit an indictable offence; and ensure the same magistrate or judge heard further bail applications (*Bail Amendment Act*, 2013). In the year following the implementation of the *Bail Amendment 2013*, the total number of all bail breaches grew significantly – an increase of 67 per cent.

In their report *Unfinished Business*, the Victorian Equal Opportunity and Human Rights Commission (2013) suggested that bail decision makers were not fully utilising the provision of Section 3A of the Act to take account of a person's cultural background, particularly for Aboriginal women. This, they argued, represented "a lost opportunity to reduce the number of Koori women entering prison on remand, especially when less than 15 per cent of these women end up receiving a custodial sentence". In many situations, women are denied bail because of a chronic lack of safe, stable and secure accommodation to which they can be bailed, especially in regional locations.

The *Bail Amendment (Stage One) Act 2017* amended the *Bail Act 1977* so that decision makers, including magistrates and judges, will be required to place a higher priority on community safety when making bail decisions. Bail will be refused for a range of new Schedule One offences, including aggravated home invasion, aggravated carjacking, trafficking and cultivation offences under the *Drugs, Poisons and Controlled Substances Act 1981* and terrorism offences, unless there are exceptional circumstances. Additionally, bail will be refused for many Schedule Two offences unless the accused can demonstrate compelling reasons. These offences include:

- manslaughter and child homicide
- a threat to kill that is family violence
- family violence offences including persistent contravention of a family violence intervention order
- sexual offences including rape
- driving offences including culpable driving causing death; dangerous driving causing death or serious injury; dangerous or negligent driving while pursued by police.

People who commit serious indictable offences while on bail, summons, parole, a Community Corrections Order (CCO) or under sentence will not be granted bail again unless they can prove there are exceptional circumstances.

Further bail amendments were enacted in February 2018 with the passing of the *Bail Amendment (Stage Two) Act 2017*. This Act: reformulated and clarified how the tests for bail should be applied; introduced a police remand system to enable police to remand an adult accused until a court is available; requires an accused, other than a child, Aboriginal person or vulnerable adult, who is already on undertakings of bail for indictable offences, to be brought before a court in relation to any bail decision in relation to particular

serious offences; provides an express power for a court to bail or remand a person appearing on summons (refer to Bail Amendment (Stage Two) Bill 2017 Explanatory Memorandum).

The effects of this latest amendment will need to be investigated to determine whether it will have a disproportionate impact on Aboriginal Victorians. On the basis of earlier amendments, it seems likely that such impacts will be felt.

3.3. Reforms in sentencing

Major sentencing reforms occurred in 2010, in 2013 and again in 2016. The 2010 legislative amendments to sentencing aimed to provide more flexible non-custodial sentencing by allowing courts to impose CCOs for longer periods, include higher numbers of community work hours, and attach a greater range of conditions to address specific offending behaviours. In 2013, the provision for suspended sentences was abolished for all offences⁵. The amendment also brought in a modernisation of provisions in relation to fines, including new sentencing powers to deal with unpaid court fines. This aimed to keep disadvantaged people who are unable to pay fines out of prison by introducing the following:

- A new right to apply for the rehearing of a fine order.
- New and wider sentencing options where fines are unpaid.
- Greater flexibility in dealing with persons with an undisclosed/unidentified mental illness or intellectual disability or other special circumstances.
- Permission for courts to determine whether special circumstances may exist or whether there is new or previously disclosed information that may render imprisonment excessive, disproportionate or harsh.
- Permission for courts to reduce or discharge a court-ordered fine if the offender cannot pay their fine because of a material change in their circumstances.
- Further reform to empower the courts to take away an offender's licence for any offence where the court considers doing so will better protect the community or send a clear message to the offender.

Following the introduction of community corrections reform and the abolition of suspended sentences, 70 per cent of offenders who would typically have received a suspended sentence received a CCO, resulting in a significant increase in offenders reporting to community correctional services across the state. This increase in offender numbers was felt to a greater extent within the Aboriginal population. The Aboriginal offender population being managed by Community Corrections Services increased by 48 per cent between June 2011 and June 2015 (Corrections Victoria, 2016a). More than half of this increase (26%) occurred between 2014 and 2015 and was followed by a further 20 per cent increase from June to December 2015 (Corrections Victoria, 2016a). The consequence of the change was particularly felt in the Grampians and West Metropolitan regions, which saw an increase of 172 per cent and 96 per cent respectively between 2014 and 2015 (Corrections Victoria, 2016a).

Amendments introduced in 2017 disallowed the use of CCOs and other non-custodial options for ten Category One offences including rape, murder, and causing serious injury. CCOs and other non-custodial orders were also not permitted, except where special reasons apply, for Category Two offences such as manslaughter, child homicide, kidnapping and intentionally causing serious injury. Further, the length of

⁵ The abolition of suspended sentences began in 2010 for serious offences including death, serious injury, sexual penetration and robbery. In 2011, suspended sentences were unable to be used for "significant offences" including serious injury recklessly, arson offences, aggravated burglary and serious drug trafficking offences. In 2013 they were removed from supreme and county court sentences before being abolished in magistrate courts the following year.

imprisonment that could be combined with a CCO was halved from two years to one year or less. A non-parole period now cannot be fixed as part of a combined order – meaning offenders must serve their full term of imprisonment before beginning their CCO. Previously, a CCO could be imposed for up to the maximum term of imprisonment for the relevant offence. The proposed laws limit the maximum length a CCO can be imposed to five years. (*Sentencing (Community Correction Order) and Other Acts Amendment Act 2016*)

3.4. Reforms in correctional services (parole)

Parole reform in 2013 and 2014 brought a significant shift in the number of parole applications granted and declined. Specifically, there was a doubling of the number of applications denied and a decrease of about a third in the number of applications granted. Additionally, there was a 38 per cent decrease in the number of parole review requests accepted and a 146 per cent increase in the number rejected. The result of these shifts was an increasing trend in the total prisoner population.

Findings included in an unpublished DJR report⁶ on the reforms concluded that the parole reforms had disproportionately affected Aboriginal Victorians. As a result of these reforms, Aboriginal offenders are more likely to receive sentences without a parole period and have limited opportunities to access parole. Once in prison, Aboriginal offenders are less likely to be considered for parole due to their over-representation in violent offences. They are also less likely to access and complete the offender behaviour programs offered in prison. Aboriginal offenders are also more likely to spend extended periods of time on remand, limiting their access to rehabilitation programs required for parole. Further, as prisoners need a release address before applying for parole, Aboriginal offenders are further disadvantaged due to the high rates of homelessness within the community. Finally, the new requirement for prisoners to apply for parole, instead of automatic consideration, is likely to have disproportionately affected Aboriginal offenders based on their access to other justice services.

Aboriginal prisoners released to parole have low levels of order completion and high rates of returning to prison under a parole breach. Aboriginal prisoners we interviewed for this evaluation reported a preference for completing their term in prison to be released to freedom, because they felt their chance of completing a parole order was low because of the conditions imposed and the challenges they faced reintegrating back into the community.

3.5. Reforms in youth justice

The transfer of Youth Justice Services from the Department of Health and Human Services to the DJR occurred in April 2017. Corrections Victoria assumed responsibility for maintaining the safety and security of youth justice facilities. Opposition to the move came from a number of quarters with concerns that it “risks the system losing its focus on rehabilitation and age-appropriate responses, which critically makes it far less likely for young people to be repeat offenders. Restrictive and punitive approaches do not work”⁷. It is yet to be seen whether these concerns were justified and whether the transfer of responsibility for youth justice has had a disproportionately worse outcome for Aboriginal young people.

The *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017* introduced a range of reforms in the youth justice area including those listed below:

⁶ Department of Justice and Regulation Koori Justice Unit (2016). *Is 'Tough on Crime' legislation tougher on Koories?*, October 2016

⁷ This comment was made by Tiffany Overall of the justice advocacy group Smart Justice for Young People and cited in the Law Institute Journal March Flipbook article ‘Lawyers fear youth crackdown’, 1 March 2017 retrieved from <https://www.liv.asn.au/Staying-Informed/LIJ/LIJ/March-2017/Lawyers-fear-youth-crackdown>

- increased penalties for young people committing serious and violent crimes.
- young offenders will face longer detention periods of up to four years, risk having their cases being heard in higher courts, and youths who assault youth justice officers while in detention may face more severe penalties.
- uplifting serious youth offences, such as aggravated home invasion and aggravated carjacking, from the Children's Court to the higher courts for those aged 16 years or older.
- serious youth offenders aged 18-21 will no longer be able to be sentenced to detention in a youth justice facility, unless exceptional circumstances apply.
- a new presumption that young offenders who damage property, escape or attempt to escape from a youth justice facility will serve their sentences on top of an existing period of detention, regardless of age.
- a new Youth Control Order imposing intense requirements for supervision, support and court monitoring for up to 12 months.
- a new offence with a maximum penalty of 10 years imprisonment, for adults aged 21 or over who recruit a child aged under 18 to engage in criminal activity.
- the Youth Parole Board to impose certain parole conditions (e.g. rehabilitation and treatment, curfews, non-association) when granting parole to an offender serving detention for a serious youth offence.
- a tailored pre-plea youth diversion scheme in both the criminal division of the Children's Court and the Children's Koori Court.

It is too early to determine if the amendments introduced through this Act are more adversely affecting Aboriginal youth and young people than their non-Aboriginal peers.

3.6. Summary

There is evidence that 'tough on crime' legislative responses tend to deliver disproportionately worse outcomes for Aboriginal people regardless of the intended target for those reforms. It has certainly been the case that Aboriginal Victorians have experienced poorer outcomes in gaining access to bail and parole. Given they are already over-represented in prisons it follows that legislation that increases sentence length for youth or adults will have worse outcomes for Aboriginal prisoners and detainees.

It is against this backdrop that the initiatives of the AJA have been implemented. This needs to be kept in mind as we explore the achievements that have been made over the period of AJA3. More importantly, to understand why we have seen no shift in the over-arching aim of reducing over-representation, it is imperative to consider these reforms that have effectively reduced access to non-custodial sentencing options, increased sentence lengths or introduced mandatory sentencing.

4. Evaluation Approach

4.1. Evaluation objectives

Overall this evaluation is seeking to understand how the AJA3 is being implemented on the ground, what is working well and why, as well as to identify gaps and opportunities for implementation of the next stage of the AJA (AJA4). The specific objectives for the evaluation are to provide impartial insights into the following matters:

1. whether AJA3 initiatives have contributed to improved Koori justice outcomes in specific locations
2. are there differences in outcomes between, and within the four regions and, if so, why?
3. how effectively the AJA3, as a strategy, addresses issues underlying Aboriginal over-representation in the justice system and identify opportunities to improve this response.

We have sought to examine the similarities and differences in implementation and outcomes in different areas, examining critical success factors in the four study locations, while considering any broader contextual factors which may exert influence over the effectiveness of different approaches in different areas.

The key principles underpinning our evaluation approach are that it was conducted:

- as a partnership approach
- with cultural sensitivity, including a strengths based and holistic perspective
- minimising the burden on participants
- with clear and consistent communication.

4.2. Target regions

Four DJR regions were selected for the evaluation brief based on the following criteria:

- investment – sites where there are major investments and examples of AJA3 initiatives
- population - size of Aboriginal population and potential to demonstrate outcomes
- readiness - capacity of regions to support and participate in intensive research activity
- comparability - whether there are similar projects that have been implemented across more than one region.

The four regions under investigation were:

- Loddon Mallee
- Barwon South West
- Northern Metropolitan
- Southern Metropolitan.

4.2.1. Out of scope

Our work did not attempt to evaluate any specific programs at the activity level; rather, it sought to draw broad lessons about the effectiveness and impact of the AJA3 as a whole.

4.3. Evaluation audience

Table 4-1 outlines the audiences for the evaluation and their information requirements from the evaluation. The primary audiences were prioritised for this evaluation.

Table 4-1: Evaluation audience information needs

Audience		Information needs
Primary Audience		
Aboriginal Justice Forum		
RAJACs & LAJACs		Assessment of the outcomes of the AJA3 in Loddon Mallee, Barwon South West, Northern Metropolitan and Southern Metropolitan regions
Koori Justice Unit, Department of Justice & Regulation		- effectiveness, value for money and lessons learnt
Secondary Audience		
Victorian Koori Community		
Attorney General		Outcomes achieved by the AJA3
Providers of services delivered under the umbrella of the AJA3 not represented on the AJF		Lessons learnt to inform future program design

4.4. Evaluation Questions

Key evaluation questions (KEQs) are focused questions that guide the direction of the Evaluation Plan. These questions are not asked as part of any data collection tool, rather they guide the type of questions these tools should be asking.

The KJU articulated the KEQs in their request for quote and these informed interview design. The base questions and accompanying sub-questions are detailed in the Table below.

Key and sub-evaluation questions and data sources

In the following table the KEQs are broken down into subsidiary evaluation questions which have been addressed through multiple lines of evidence drawn from a variety of sources. These multiple lines use the perspectives of different stakeholders and sources so as to ensure that balanced and broad-based perspectives inform the evaluation findings.

KEQ 1 What have the outcomes of the AJA3 been in each location? Have there been any unintended impacts?	
No.	Evaluation sub-questions
1.1	What specific programs are operating in the [name] region under the umbrella of the AJA3
1.2	To what extent have programs progressed in [name] region in terms of: <ol style="list-style-type: none"> 1. Crime prevention and early intervention 2. Diversion and strengthening alternatives to imprisonment 3. Reducing re-offending 4. Reducing conflict, violence and victimisation 5. Responsive and inclusive services 6. Strengthening community justice responses and increasing community safety
1.3	Has any aspect of program been adapted to suit the local context? What? Why?
1.3	Have any aspects of the original program model not been implemented? Why?
KEQ 2 To what extent has the AJA3 improved positive contact with the criminal justice system and increased access to, and use of, justice related programs for Koori youth and adults?	
No.	Evaluation sub-questions
2.1	How has the AJA3 influenced criminal justice responses in Victoria?
2.2	Has there been an extension of the number/range of programs to assist Aboriginal adults and youth to change contact with criminal justice agencies as a result of the AJA3?
2.3	What are the views of offenders about their experiences of contact with criminal justice agencies?
2.4	What are the views of offenders about accessing programs to help them with their offending behavior? Is access better or worse than previously? Are there barriers to access?
2.5	What feedback about the program are key service providers receiving?
KEQ 3 To what extent does the AJA3 complement, make use of and build upon individual, community and organisational strengths, resources and services?	
No.	Evaluation sub-questions
3.1	What are the community assets in [name] region?
3.2	Do the programs implemented under the AJA3 make use of existing community strengths? Do gaps in service availability remain? Is there duplication of service delivery?

KEQ 4	What specific factors (geography, history, service mix, location, etc.) influence outcomes in the locations and need to be considered in applying findings from this area to other locations?
No.	Evaluation sub-questions
4.1	Where has success been achieved in contributing to achievement of AJA3 objectives and strategies?
4.2	“What works” in this region for offenders? For service providers? What have been the key factors that have facilitated or impeded project delivery?
4.3	Have there been any unexpected benefits / negative consequences?
KEQ 5	What is the experience of Aboriginal offenders and Aboriginal youth as they engage with the ‘service mix’ under AJA3? Are there points in the system where Aboriginal offenders are at risk of ‘falling through the gaps’?
No.	Evaluation sub-questions
5.1	What are the views of offenders about their experiences of contact with criminal justice agencies? [2.3]
5.2	What are the views of offenders about accessing programs to help them with their offending behavior? Is access better or worse than previously? Are there barriers to access? [2.4]
5.3	Are available programs addressing Aboriginal disadvantage more broadly than criminality?
5.4	Are there gaps in service provision for Aboriginal youth and adults?
KEQ 6	How well does the current mix of AJA3 activity (including processes, programs and services) respond to local community needs and drivers of Aboriginal contact with the justice system in each location?
No.	Evaluation sub-questions
6.1	What are the primary drivers for contact with the criminal justice system by Aboriginal adults and young people?
6.2	Are these drivers being addressed? If so, by whom? To what effect?
6.3	Are there valid reasons why any/some drivers are not being addressed?
6.4	What more can be done?
KEQ 7	What are the opportunities to improve service, coverage and integration of AJA initiatives to progress justice outcomes in the locations?
No.	Evaluation sub-questions
7.1	What have we learnt? What has worked/not worked? [also 4.2]
7.2	Where can improvements be made? [also 6.4]
KEQ 8	Is it possible to assess the cost and benefits of the AJA in each location?
No.	Evaluation sub-questions
8.1	What are the costs of delivering AJA3-affiliated programs?
8.2	What benefits have accrued to the regions as a result of the AJA3?
8.3	How can the benefits be monetised?
8.4	What are the limitations of monetising benefits?

4.5. Evaluation methodology

The evaluation used a mixed methods approach employing both quantitative and qualitative research methods. It drew on both quantitative and qualitative data sources:

- AJA-related program documents including relevant program operational documents, monthly reports, project reports, financial reports and governance documents
- RAJAC and LAJAC documents including Regional Action Plans, meeting minutes
- semi structured interviews with RAJAC and LAJAC Chairs and other members representing both community and government
- semi structured interviews with ACCOs, ACCHOs and other non-government / private sector service delivery organisations
- semi structured interviews and/or focus group discussions with Aboriginal prisoners and offenders on community correction orders
- semi-structured interviews with agency personnel with responsibilities for delivering services to Aboriginal prisoners and offenders
- Australian Bureau of Statistics Census data (2006, 2011, 2016)
- Crime Statistics Agency Aboriginal Justice Indicators – Victoria Police (2012 – 2016)
- Corrections Victoria Aboriginal prisoner and offender populations data (2012 - 2017).

Quantitative data were collated and analysed using Microsoft Excel. Semi-structured interviews were transcribed and analysed thematically.

Throughout the data analysis, the evaluation team has sought to identify regional stories of AJA achievements. Data collected through the interviews and focus groups has been added to insights gained from field observations and document analysis to inform the development of case studies of place-based initiatives that are showing positive results.

Data were synthesised and aggregated to report against the key evaluation questions.

Ethics Approval

At commencement of the evaluation we sought ethics approval from the Department of Justice and Regulation Human Research Ethics Committee and the Corrections Victoria Research Committee. This was sought to confirm and support our ethical approach to interviews and focus groups with adult offenders in the community and with prisoners. Ethics approval was received in August 2017.

Limitations

Throughout our findings we note that assessing the contribution of AJA3's place based approach to particular outcomes is an inexact process: the AJA a complex phenomenon embracing many different players addressing complex problems.

The evaluation was commissioned (as noted in 4.2.1) to focus at the level of the AJA's place based approach, rather than effectiveness at the activity level. We have drawn on individual program evaluations where relevant, although these are rarely available.

As the evaluation questions noted above make evident, there was originally an intention for the evaluation to give equal consideration to young people and their interactions with the criminal justice system. Due to time constraints it was decided by the Evaluation Steering Committee established to

oversee the evaluation that the youth component be removed from the ethics application. Also influencing this decision was an existing study then being completed by the Koori Youth Council which had gained ethics approval from the Justice Human Research Ethics Committee. The overlap between the stakeholder groups and the outcomes being sought was considered sufficient to enable sharing of information. The Koori Youth Council's *Justice for Koorie Youth Project* sought the views of Aboriginal young people with experience of the justice system to improve understanding of young people's experiences and perspectives on issues related to effective diversion, reducing recidivism and opportunities for participation within the justice system.

As a result of the above we have not directly gathered the views of Aboriginal young people except where they have been involved as members of RAJACs or LAJACs. We have, instead, sought to understand their experiences of contact with the criminal justice system through consultation with agency representatives with responsibility for managing young people in correctional facilities and those being managed in the community. We have also sought the views of representatives of organisations providing support to Aboriginal youth including ACCOs, ACCHOs, the Koori Youth Council, Local Justice Workers and other Aboriginal liaison officers. Despite this consultation we do not consider that the youth voice has been sufficiently 'heard' in our interviews and this remains somewhat of a shortcoming in the evaluation. We have included available data and information on community and youth-focussed initiatives. We have recommended that a further evaluation have a primary focus on children and young people up to the age of 24, capturing prevention, early intervention and justice initiatives and including an evaluation of responses at key transitions in age and in pathways through services for young men and young women. This would also be timely given the transfer of responsibility for Youth justice from the DHHS to DJR.

5. AJA3 initiatives implemented in the regions

5.1. Key achievements of AJA3

In late 2016 the KJU prepared a summary of the key achievements of the AJA for the period 2015 to 2016 as part of a presentation to the 45th Aboriginal Justice Forum. This extensive 62-page document captures 111 activities giving a brief description of the activity, describing what was achieved through implementation and how each has contributed to Aboriginal justice outcomes. The achievements documented in the report are shared across the signatories of the AJA. Some of the initiatives are those that have been highlighted by stakeholders in the course of the evaluation. For example, a key achievement of the KJU has been the implementation of the Koori Women's Diversion Program in Mildura, and later in Morwell. Similarly, the roll out of a revised Local Justice Worker program is highlighted as a key achievement of the KJU, a view shared across all regions where LJWs are based (as well as other Aboriginal liaison roles supported under the AJA). It was particularly welcomed in the Loddon Mallee region where LJWs are having a positive impact assisting offenders in the community to complete their orders.

The initiatives highlighted in the key achievements report align with what we heard were the primary issues to be addressed in the regions. This includes, in addition to the initiatives noted above, initiatives dealing with prisoner transitional housing, the reintegration of prisoners to community including continuity of health care provision, prisoner/offender mental health and drug and alcohol treatment, responses to family violence including the introduction of family violence protocols within Victoria Police, cautioning of youth by Victoria police, and programs aimed at cultural strengthening. The list of initiatives is provided in **Appendix B**.

Unlike AJA2, the third phase of the Agreement did not receive additional funding to implement new initiatives identified in the Agreement. Funding was available to continue initiatives commenced in AJA2 such as the Koori Courts and the Wulgunggo Ngalu Learning Place program but implementing the majority of the 28 strategies and 82 sub-strategies has required KJU (and other business units) to either attract funding from other sources or encourage agencies to fund initiatives from existing budget allocations.

A number of AJA initiatives have been implemented in each of the regions of this study. Some have been implemented across the state and could be considered 'core business' while others have been designed and are specific to particular regions and are more rightly considered 'place-based', for example, the Koori Women's Diversion Program (discussed in Section 8.7.2). The KJU has also assisted in the implementation of Koori Case Management Review Meetings in the Northern and Southern Metropolitan regions (see some discussion on the implementation of this in the Northern Metropolitan Region in Section 9.7.2). Another initiative emerging from the AJA3 has been the training and gazetting of Dispute Resolution Officers in Barwon South West, Loddon Mallee and Northern Metropolitan regions overseen by Dispute Settlement Centre Victoria. The introduction of Koori Family Violence Protocols by Victoria Police in a range of locations (Ballarat, Bairnsdale, Dandenong, Darebin, Mildura, Shepparton, Swan Hill and Wimmera as at August 2017) is another initiative of the AJA. These protocols have been shown to be an "effective, useful and necessary tool for improving the relationship between police and Aboriginal communities" (Clear Horizon 2015). Other Victoria Police initiatives implemented throughout the period of AJA3 are detailed in Section 5.1.1 below.

Other AJA initiatives that are showing good results across the regions include the various Aboriginal liaison positions created in a number of Departments. These include the Local Justice Workers (funded by DJR and located largely within ACCOs regionally), Sheriff's Aboriginal Liaison Officers

(SALOs) within the Sheriff's Offices, Aboriginal Community Liaison Officers (ACLOs) and Koori Court officers. The Koori Courts, introduced in AJA2, were significantly expanded and continue to operate across the state (see further below).

A number of initiatives implemented by AJA signatory agencies are discussed below. Other specific initiatives are discussed in Sections 7 through 10 covering each of the four regions under investigation for this study.

5.1.1. Initiatives in policing

Victoria Police are an active partner to the AJA and have implemented a number of initiatives to reduce contact between Aboriginal people and the police. A key focus in recent years has been on building the cultural awareness of staff across the organisation. Throughout interviews with police across the state we have heard the benefits that have resulted from participation in locally initiated cultural awareness training. This view is held at the highest level with the Chief Commissioner describing his experience in participating in a cultural competency camp at Shepparton;

I spent a night out in the Barmah forest. Aside from the competency training we also had immersion with the community group and learning about stories and cultural history. It was interesting and valuable to me in doing my job, in having local networks through Rumbalara.

Discussions with frontline officers and regional managers reflected a view similar to that of the Chief Commissioner. Having a deeper understanding of Aboriginal culture has been helping police officers to better engage with community and is providing the impetus for responding to criminal justice matters in a more culturally appropriate way. One stakeholder in the Barwon South West Region has noted that the police and other justice related services are becoming "smarter and more insightful" in their understanding of the complexity of Aboriginal situations.

Victoria Police have Aboriginal Community Liaison Officers (ACLO) located throughout Victoria that report directly under the Victoria Police operational regions, and a state-wide coordinator located within the Priority Communities Division, Corporate Strategy and Operational Improvement Department. ACLOs are Victoria Police employees who work to improve relationships and trust between Aboriginal communities and police. They play an important role in cross-cultural communication, providing police with a greater awareness of local issues and cultural protocols to improve the effectiveness of services and responses provided to Aboriginal people. They also provide community with a greater understanding of police protocols and practices.

A second type of liaison role is the Police Aboriginal Liaison Officers (PALOs). PALOs are Victoria Police Officers who perform operational duties, in addition to performing the Aboriginal portfolio role. PALOs have a liaison role, both independently and in partnership with ACLOs, to resolve issues concerning Aboriginal people within their local area.

In 2014, Victoria Police partnered with the Victorian Equal Opportunities and Human Rights Commission (VEOHRC) and the Victorian Aboriginal Legal Service (VALS) to pilot a Third Party Reporting (Report Racism) Scheme to allow people to report incidents of racially motivated crime or racial vilification to/through a community organisation, rather than directly to police. Pilots were run in Shepparton and Northern Melbourne. The consulting firm Price Waterhouse Cooper's Indigenous consulting arm conducted the project evaluation with reference to the project's objectives of:

1. building the capacity and confidence of the community and individuals to report racist incidents
2. building the capacity of the project partners to support individuals to report racism and where appropriate provide responses to reports by improving internal systems and processes

3. establishing an intelligence driven third party reporting mechanism that is culturally safe and accessible for the Aboriginal community
4. reducing barriers to reporting racist incidents including complicated complaint processes
5. identifying and responding to issues of systemic racism.

The Report Racism initiative was instrumental in the establishment of a Northern Police Aboriginal Consultative Committee (NPACC) in the Northern Metropolitan region. This Committee is driving the development of the Koori Family Violence Police Protocols and joint work between Victoria Police and the Aboriginal community in this region.

5.1.2. Koori Courts

Magistrates' and Children's Koori Court

The Magistrates' and Children's Koori Courts continue to operate across the state for those who plead guilty and opt to be heard in a culturally safe court before their Elders and Respected Person's (ERP's). Koori Courts are funded from base AJA funding and have expanded to the additional locations within the initial allocated AJA funding and have not received any additional funding since 2005. Koori Courts are provided by Courts Victoria under the *Magistrates Court Act 1989*. The Children's Koori Court was established under the *Children, Youth and Families Act 2005*.

Koori Courts commenced sitting as a pilot program in Shepparton in 2002 and Broadmeadows in 2003 and were reviewed after 2 years of operation. Following this review, the program was confirmed as ongoing, and was expanded to a further eight locations as list below:

There are currently 9 adult Koori Courts in Victoria: - (11 if count Hamilton and Portland circuit)

- Shepparton (commenced sitting: October 2002)
- Broadmeadows (commenced sitting: April 2003)
- Warrnambool circuit (commenced sitting: January 2004)
 - Hamilton
 - Portland
- Mildura, (commenced sitting: July 2005)
- Latrobe Valley (commenced sitting: May 2006)
- Bairnsdale, (commenced sitting: March 2007)
- Swan Hill, (commenced sitting: July 2008).
- Melbourne, (commenced sitting August 2014)
- Geelong, (commence sitting July 2016)

There are also currently 10 children's Koori Courts in Victoria:

- Melbourne (commenced sitting October 2005)
- Mildura (commenced sitting November 2007)
- Warrnambool (commenced sitting June 2012).
- Latrobe Valley (commenced sitting December 2012)
- Bairnsdale (commenced sitting December 2012)
- Swan Hill (commenced sitting September 2013)

- Shepparton (commenced sitting November 2013)
- Heidelberg (commenced sitting September 2014)
- Dandenong (commenced sitting September 2014)
- Geelong, (commenced sitting August 2016)

Each Koori Court location has a designated Koori Court Officer with exception to Geelong and Dandenong

Court which have Koori Community Engagement Officers (KCEO) The role of the KCO and KCEO is to work with and support the engagement of Aboriginal accused that come before the courts by assisting them with advice and access to culturally appropriate and sensitive services. The KCO and KCEO liaises with members of the local Koori communities to inform them of the court process whilst also raising regional awareness of Indigenous and cross-cultural issues. KCEOs can be found in Geelong

Two Koori Elders and Respected Persons (ERP), a male and female sit with a Magistrate to provide cultural advice, they are the cultural point of difference which ensures the court is a culturally safe place for Aboriginal defendants and their families who are encouraged and supported to contribute during the Court hearing. The KCO, KCEO and the ERP's help to reduce perceptions of cultural alienation to ensure sentencing orders are appropriate to the cultural needs of Aboriginal offenders assisting them to address underlying issues relating to their offending behaviour. Over 100 ERP's have been recruited state wide as casual staff to support the Koori Court sittings on a roster basis.

A central, five person Koori Courts Unit located in Melbourne (Magistrates Court of Victoria) plays a key role in implementing, coordinating and overseeing the operations of the Koori Courts, recruiting and supporting the 11 Koori Court Officers and 100 Elders and Respected Persons, works with Judicial staff including Registrars and Magistrates to maintain sitting days, collect, collate and provide data analysis to identify patterns of behaviour and causal issues, works to supports community engagement to ensure that each court is connecting to its local community in culturally appropriate ways through local Koori Court Reference Groups which are made up of key community stakeholders.

Whilst centrally coordinated and funded, the Koori Courts model has a built-in place-based approach in that:

- Local communities have a say in whether they need, want and can support, a Koori Court
- The Koori Caucus advises on Court locations, which ensures the program is socially targeted and that offenders have support for the behaviour change they have committed to through a cultural sentencing conversation with Elders and Respected Persons and the Magistrate during the Koori Court process
- Koori Courts are located where there are established ACCO or ACCHO services.
- Regional Koori Court Reference Groups have been established to monitor trends in offending in their community to develop localised culturally appropriate responses and referral pathways to ACCO's and mainstream services.
- Koori Court Officers and the Elders and Respected Persons know their communities and play a key role to encourage and support service accountability, flexibility and collaboration supporting a join-up approach to working with their community and accused to help reduce offending and reoffending.

Our informants were positive about the strength of the Koori Court Model as one that contributes to flexible solutions for local communities. Challenges include ensuring consistent processes and procedures (e.g. referrals and maintenance of links between the Koori Court Unit Court Services

Victoria, the Koori Justice Unit and Koori Caucus. Interest was reported during our stakeholder consultation in increasing the number of Koori Courts so that each site has both an adult and a children's court.

The operation of the Koori Courts has been facilitated through a number of AJA3 initiatives. Some of these are listed below⁸:

- Creation of the Koori Hearing Day, Marram-ngala Ganbu⁹, at the Children's Court (Family Division) at Broadmeadows. This enables a number of matters to be listed on the one day so that support agencies can be present to assist the accused.
- Expansion of the Koori Court Model in various locations has allowed for the appointment of over 100 Elders and Respected Persons to Koori Courts with training provided.
- Koori Courts complaint process was reviewed and revised to make it consistent with mainstream equivalent. A complaints register was established to record complaints and the actions taken to address them.
- Development of a Human Resources Manual for Elders and Respected Persons who sit on Koori Courts (outlining recruitment, appointment, complaint processes, conflicts of interest, travel allowances, and remuneration, etc.)
- Koori Court Conferences provide professional development and networking opportunities for KCO's, ERP's, judicial staff, agencies and community.

County Koori Courts

The County Koori Court was established as a Division of the County Court by the County Court Amendment (Koori Court) Act 2008. The County Koori Court draws on the successful implementation of the Koori Court model in both the Magistrates' Court and the Children's' Court.

The objective of the County Koori Court is to ensure greater participation of the Aboriginal community in the sentencing process of the County Court through the role played in that process by the Aboriginal Elders or Respected Persons and others such as the Koori Court Officer.

The County Koori Court is the first sentencing court for Aboriginal offenders in a higher jurisdiction in Australia. The County Koori Court currently sits at Melbourne, Latrobe Valley and Mildura.

The County Koori Court is currently supported by a Coordinator and Koori Court Officer and is funded through the County Courts own budget.

Other Courts Services Victoria initiatives

In addition to the continued expansion of Koori Courts across the state Courts Services Victoria has implemented a number of initiatives that have sought to address AJA objectives. These include the following:

- development and implementation of a Koori Recruitment and Koori Employment Policy across the agency
- review of the Koori Inclusion Action Plan and development of Koori Resource Kits for all six jurisdictions

⁸ Sourced from AJA3 Key Achievements 2015-2016 report (unpublished)

⁹ Marram-Ngala Ganbu is not a specific initiative of the AJA3 but is a government funded response to addressing the over-representation of Aboriginal people in the justice system and has been included here as it supports the objectives of the AJA3

- support and continued the expansion of the Court Integrated Services Program (CISP) and Credit Bail programs into areas of high Aboriginal justice contact, with the aim to reduce the likelihood of imprisonment
- increasing access to culturally appropriate support whilst on bail through the Bail Support Program
- funding for Sentencing Advisory Council research into sentencing outcomes for Aboriginal Victorians
- advocacy for the development of early intervention programs in collaboration with community organisations (e.g. *New Directions*, Baroona Healing Service).

5.1.3. Initiatives in corrections services

With responsibility for prisoners and for managing offenders in the community, Corrections Victoria is arguably the department that has the most to benefit from the AJA achieving its objectives. The former Commissioner for Corrections Victoria highlighted the department's commitment to incorporating culturally appropriate service provision into its standard practices. The former Commissioner for Corrections, Jan Shuard, stated that decisions taken within the agency are "always looked at through the lens of investment in Aboriginal prisoners and offenders". The Commissioner also notes that the department also attempts to avoid decisions about services and programs that would require adaptation of mainstream services to make them better suit the Aboriginal cultural needs. As the Commissioner noted, "the AJA is embedded into our DNA" and placing Aboriginal culture and needs at the centre of decision making has become their 'business as usual' approach.

An example of the importance given to cultural appropriateness is in the renaming of the Corrections Victoria Aboriginal Programs Unit to Naalamba Ganbu and Nerrlinggu Yilam. The Commissioner for Corrections sent out notification to all staff about the name change and encouraged the use of the Aboriginal language name. To assist the agency provided sound bites so that non-Aboriginal people could pronounce it correctly. A former Corrections Victoria employee recalled;

Now people walk around actually referring to the unit as Naalamba Ganbu and Nerrlinggu Yilam, they're not using English and we were very clear about saying not to use acronyms or putting English definition in brackets. We want to encourage people to use this language and we gave them the sound bite because everyone fears if they've said it wrong and they get embarrassed but we encouraged them to practice in their own time. One of the last presentations I went to the Minister for Corrections actually said Naalamba Ganbu and Nerrlinggu Yilam quite freely, quite easily. People didn't even stop to think. It just registered that the Minister had just used language in her speech. It's those critical things by simply understanding language and its place in our mainstream business we're maintaining Aboriginal ancient language. It's those little things that are having an impact but are quite simple to do.

Corrections Victoria (CV) has implemented a number of initiatives and programs to improve access to services to Aboriginal prisoners and offenders across the state. A key program is the Wulgunggo Ngalu Learning Place in the Gippsland region managed by the agency.

Wulgunggo Ngalu Learning Place is a live-in facility providing Aboriginal men aged over 18 years and on a CCO with the opportunity to complete their orders while receiving rehabilitative support, work and training designed to reduce their risk of offending in the future. CV undertook a study of CCO completion rates using participant data collected by Wulgunggo Ngalu Learning Place, which found that Aboriginal men were more likely to complete their CCO if they completed the Wulgunggo Ngalu Learning Place program.

CV, in partnership with Justice Health, developed and implemented an *Aboriginal Social and Emotional Wellbeing Plan* as an initiative of AJA3. The Plan identifies five priority areas that the agency – in partnership with the Aboriginal community – will focus on to improve the mental health and wellbeing of Aboriginal people while imprisoned and upon their release:

- prevention and health promotion
- culturally capable workforce
- culturally safe and responsive services
- continuity of care
- working from and building an evidence base.

The Plan recognises the fundamental role of culture, community and spirituality in Aboriginal wellbeing and aims to support such connections.

Another initiative of the agency is the Kaka Wangity, Wangin-Mirrie Aboriginal Cultural Programs Grants Scheme providing funding of \$2.25 million over three years from 2016 to 2019 for programs that focus on:

- cultural strengthening
- family violence aimed at perpetrators
- healing
- parenting
- women's healing and victimisation.

The Grants Scheme supports organisations to deliver Aboriginal programs within prisons and Community Correctional Services for Aboriginal prisoners and offenders. Programs funded by the Kaka Wangity, Wangin-Mirrie cultural grants include:

- **Sisters Day In** - a program dedicated to the prevention of family violence against Aboriginal women, by addressing the root causes of family violence and victimisation
- **Women's Healing Program** - a group-based cultural strengthening and healing program for Aboriginal women, supported by Aboriginal elders and leaders
- **Growing Up Kids** - focused on the development of culturally focused parenting practices, ensuring that children are provided for and protected
- **Men's Healing Program** - a group-based cultural strengthening and healing program for Aboriginal and Torres Strait Islander men, supported by Aboriginal elders and leaders
- **Dilly Bag** - an intensive cultural-strengthening program that helps Aboriginal women recover from trauma they may have experienced in their lives
- **Women's Journey** - a cultural strengthening and healing program, supporting women who have experienced trauma from violence and victimisation
- **Men's Cultural Journey** - a cultural resilience program, including follow-up support from Aboriginal community elders.
- **Marumali Healing Program** - a group-based healing program for stolen generation members, their families and their communities.

CV also funds a program supporting high risk and high profile male and female prisoners as they transition back to the community. The *ReConnect* program is part of the agency's 'Reintegration Pathway' and assists in creating transition plans for adults exiting prison.

5.1.4. Initiatives in youth justice

The Koori Youth Justice Program (formally known as the Koori Juvenile Justice Program) was established by the Department of Human Services in 1992 in response to the findings of the Royal Commission into Aboriginal Deaths in Custody inquiry. It was a key initiative of AJA1 and AJA2 and has continued to operate in AJA3. Koori Youth Justice Workers are located in ACCOs throughout the state including Warrnambool, Geelong, Echuca, Mildura, Ballarat and Melbourne.

The Koori Youth Justice Workers' (KYJW) role is to provide a diversionary and rehabilitation service for young Aboriginal people on statutory youth justice orders or who are at risk of entering/re-entering the youth justice and criminal justice systems, by providing a culturally responsive service through:

- diversionary strategies
- working with statutory clients
- enhancing linkages to community
- advising on policy and cultural competencies
- administrative, supervision and professional development (Department of Human Services 2007).

The community-based KYJW works closely with an allocated youth justice case worker to ensure that the best interests of the young Aboriginal person are met and managed appropriately. The program also includes the employment of Koori intensive support practitioners (KISP) within area youth justice teams. The KISP role is distinct from the community-based KYJP with the role located within the youth justice service. The KISP has responsibility for youth justice supervision and case management of Aboriginal young people who are:

- subject to a court order supervised by youth justice
- subject to a period of supervised bail.

KISPs provide support to young people to prepare for release from a youth justice precinct on parole with the support continuing after release, and for the duration of their parole.

The program is said to have contributed to a period of no Aboriginal young people on youth justice orders in the Barwon South West region, specifically Warrnambool and Glenelg areas, for a period of 18 months between 2013 and 2015 (Houlihan 2016). The KYJW had implemented a number of strategies in those locations to engage Aboriginal young people in the region including prioritising transport for young people to their desired activity (often sport based) to help them engage in a program and community that would not otherwise be available. He also visited the homes of young people to meet with their parents/carers directly and ensure that genuine engagement and support is provided at home as well as with students during school visits.

A Case Study was prepared that describes the work of the KYJW in the Barwon South West region and provides a summary of the aspects of delivery that have been particularly successful. This Case Study is available online at <http://youthlaw.asn.au/wp-content/uploads/2016/09/Western-District-case-study-report.pdf> and provides useful guidance to other youth justice workers throughout the state.

5.2. Initiatives enabled through the provision of grants

Organisations in each of the regions are able to apply for funding from five main sources administered by the KJU. These four funding sources are:

- Local Justice Worker Program (LJWP)
- Community Initiatives Program (CIP)
- Frontline Youth Initiative
- Koori Community Safety Grants
- Koori Youth Crime Prevention Grants.

Some discretionary funding (\$40,000) is made available to each of the RAJACs to distribute funds to implement local initiatives.

5.2.1. Local Justice Worker Program (LJWP)

Through the Local Justice Worker Program, Aboriginal offenders are provided case support to meet the conditions of their orders through supervised community work opportunities in culturally-appropriate environments and connecting with relevant programs and services available in the community. Local Justice Workers can also assist with outstanding fines to negotiate payment plans with the Sheriff's Office and act as one key point of contact between local Aboriginal communities and Justice agencies. The program was launched in 2008 and is delivered by community organisations in 20 locations across Victoria, which are based on the daily average number of Aboriginal offenders reporting to Community Correctional Services offices in each region.

5.2.2. Community Initiatives Program (CIP)

The aim of CIP is to provide communities with the opportunity to develop pilot initiatives and undertake research that will reduce negative contact between the Aboriginal community and the criminal justice system.

Funding was for a maximum of \$55,000 (including GST) per annum for a period not exceeding two years. The RAJAC and RAJAC EO are responsible for monitoring funded initiatives through regular and ongoing visits and supporting grant recipients through the provision of advice and liaising with relevant local contacts.

Projects considered for funding under CIP were those that:

- increased community participation in the development of culturally-appropriate and innovative early intervention programs
- promoted reconciliation and partnerships between communities and justice agencies
- assisted in research and the identification of community based best practice initiatives and
- were a catalyst to, or basis for, long term sustainable capacity building programs.

Eligibility is limited to incorporated Aboriginal Community Controlled and/or incorporated community organisations in which a majority of both members and directors are Aboriginal. A non-Aboriginal incorporated organisation may also apply for funding, if all of the following conditions are met:

- The non-Aboriginal organisation must demonstrate that there is no suitable incorporated Aboriginal organisation in the area to deliver the project.

- The non-Aboriginal organisation is applying as the auspice for a Aboriginal group/unit/organisation.
- The non-Aboriginal organisation meets all other guideline requirements for eligibility (other than being a Aboriginal organisation).
- The application is endorsed by the relevant RAJAC.

5.2.3. Frontline Youth Initiatives Program (Frontline)

The aim of Frontline funding is to provide communities with the opportunity to engage Aboriginal youth at risk of contact with the criminal justice system in health and wellbeing activities that reduce the likelihood of future negative contact with the justice system.

A maximum of \$110,000 (including GST) per annum was available to ACCOs for a period not exceeding three years. The RAJAC and RAJAC Executive Officer (EO) are responsible for monitoring funded initiatives through regular and ongoing visits and supporting grant recipients through the provision of advice and liaising with relevant local contacts.

Frontline had a strong focus on engaging at risk Aboriginal youth from the ages of eight to 24 years who were:

- victims of family violence and/or have been affected by family violence
- currently/or have been, in out of home care
- disengaged from education and/or employment
- in contact with the criminal justice system.

Key focus areas for the Frontline funding included:

- youth leadership
- sporting activities (both individual and team based)
- cultural strengthening
- music
- arts and performance based activities
- engagement with education, training or vocational activities
- employment readiness.

5.2.4. Koori Youth Crime Prevention Grants

The Victorian Government invested \$10 million over two years to help local communities tackle the underlying causes of youth crime. The Youth Crime Prevention Grants comprised three streams of funding: \$6.5 million directly allocated to eight communities with high crime rates and high numbers of recidivist youth offenders; a \$2 million competitive program open to all other areas, with 10 identified priority areas; and \$1.5 million for Koori youth crime prevention activities.

The Koori Youth Crime Prevention Grants were a partnership between the Community Crime Prevention Unit and the KJU. The focus for funding was on projects that delivered community strengthening, enhanced family relationships and parenting skills, and offered a holistic approach.

Funding of \$165,000 was allocated to each of the nine RAJACs, who invited proposals from ACCOs within their region. Generally, the maximum grant allocation was \$50,000 over two years. Project proposals were then endorsed by the RAJAC and LAJAC and submitted to DJR for a merit assessment

before a recommendation was made to the Minister for Police. Once approved a funding agreement was put in place to allow project delivery to proceed¹⁰.

The RAJAC EOs were responsible for monitoring funded initiatives and the provision of support and advice to grant recipients. EOs were supported in this role by the KJU Community Programs Branch.

5.2.5. Koori Community Safety Grants

The Koori Community Safety Grants were established to address violence against women and children in Aboriginal communities in Victoria. The \$2.4 million grant program was funded by the Crime Prevention Branch and were administered by the KJU, in partnership with RAJACs over a period of three years (EMS Consultants 2016).

The grants were available to ACCOs to work in partnership with each other and the local government to address various forms of violence experienced by the community. This included lateral violence, family violence, community/family feuding, clan rivalry, inter-generational feuding, same-sex fighting and Elder abuse.

Four grants were awarded: the *Strong Men Strong Communities* project, the *Family and Community Violence Prevention* project, the *Aboriginal Family Violence Harmony* project, and the *Strong Relationships Strong Community* project.

The *Strong Men Strong Communities* project worked with Aboriginal adult men in six towns across East Gippsland, and aimed to prevent all forms of family and community violence. The program received \$530,974 and focused on building the capacity of Aboriginal men to choose alternatives to violence, and provided opportunities for the participants to become leaders and mentors for others in the program. The program aimed to prevent all forms of family and community violence.

The *Family and Community Violence Prevention* project aimed to create a large network of Aboriginal people with increased capacity to deal with issues that compromised their safety. Funding of \$560,000 was provided to the Mallee and District Aboriginal Service (MDAS) to deliver activities between 2013 and 2015 in Mildura, Robinvale, Ouyen, Kerang, Red Cliffs, Irymple and Swan Hill. The program delivered a suite of family violence prevention activities, working with the community as a whole, women of all ages, parents expecting or with young children, young men aged 14-17 years, and the staff of MDAS.

The *Aboriginal Family Violence Harmony* project provided a range of activities promoting anti-violence prevention for Aboriginal communities in the Greater Shepparton area. Rumbalara Aboriginal Cooperative received \$531,000 for 3 years from 2013-2015.

The *Strong Relationships Strong Community* project aimed to increase understanding of violence, and provide skill development to increase community safety, as well as increase Aboriginal community participation in mediation services. The program was provided by the Victorian Aboriginal Health Service and targeted Aboriginal people living in the northern and western metropolitan areas. The grant totalled \$531,000.

¹⁰ KJU (2016). *Koori Youth Crime Prevention Grant Guidelines*, 6 December 2017

5.3. Other funding trajectories

The pilot Koori Women's Diversion Program is an example of a local initiative where funding depended on proponents seizing opportunities as they arose – initially an opportunity for the KJU to reprioritise within the unit's budget and subsequently by two years and then ongoing funding in subsequent State budgets (2016-17, then 2017-18).

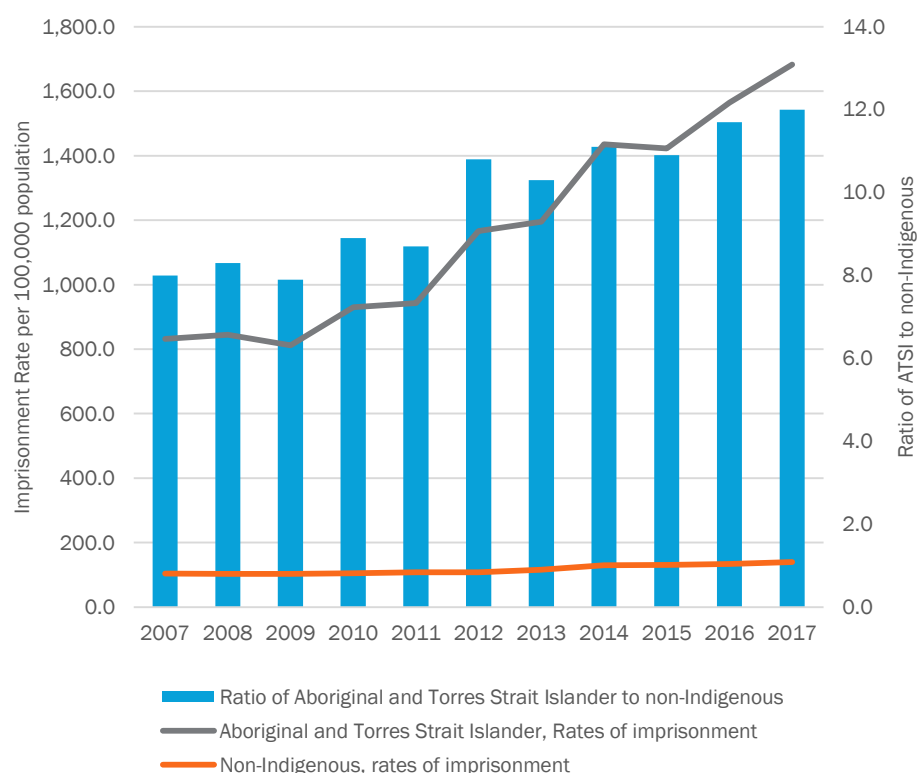
Many initiatives that can be at least partly attributed to AJA3 depended on funding from other national and state government departments and, in some cases, local government. Gathering Places are one example. These are growing in Doveton, Hastings (Willum Warrain), Frankston (Niarm Marr Djambana), Croydon (Mullum Mullum) and Werribee.

There are also grants that are “state-wide” that provide a service in local areas – they are not competitive but negotiated (for example, the Aboriginal Community Justice Panels, and legal services).

6. Prisons and imprisonment

6.1. Aboriginal Imprisonment in Victoria (adults)

While this study has not specifically investigated the *rates* of over-representation at a regional level, we refer to Australian Bureau of Statistics data which shows a continuing increasing trend for the state, as shown in Figure 6-1 below. The data show that adult Aboriginal Victorians were 12 times more likely to be imprisoned than non-Aboriginal people in 2017 and this ratio has been increasing steadily over the past ten years.



Source: Australian Bureau of Statistics, Cat. 4517.0, Prisoners in Australia, 2017. Age-standardised rate is shown.

Figure 6-1: Aboriginal and Torres Strait Islander and Non-Indigenous Imprisonment in Victoria – Rate and ratio (2007-2017)

The number of Aboriginal males and females in Victoria's prisons has increased over the past five years. Corrections Victoria (2017) have noted the increase between 2012 and 2016 has been driven primarily by the growth in male prisoners, increasing 50.5 per cent, compared to 20.6 per cent for females. However, rate of female imprisonment had increased at a higher rate than male imprisonment in 2016-2017 period.

Sentence lengths have seen a shift over the term of the AJA3 with an increase in the proportion of Aboriginal people sentenced to less than six months and a corresponding decrease in sentences of six to 12 months for both male and female prisoners (Figure 6-2). Overall, about 80 per cent of male prisoners are serving a sentence of less than 12 months with about 70 per cent of female prisoners serving less than six months.

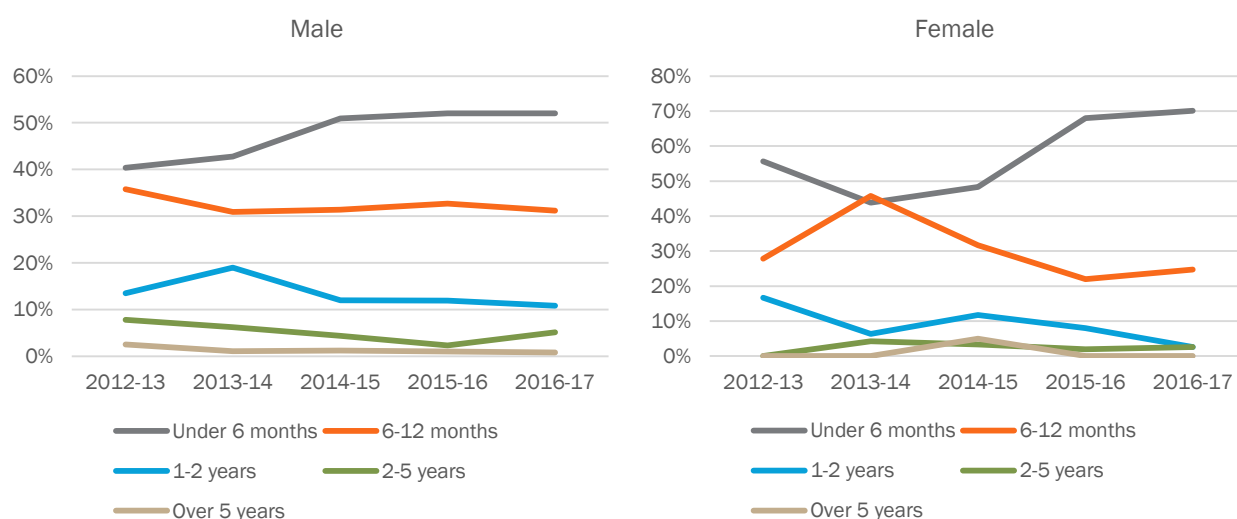


Figure 6-2: Male and Female prisoner sentence lengths, 2012 – 2017 (Source: Corrections Victoria 2017)

There has been an increasing proportion of both male and female Aboriginal prisoners who are unsentenced at the time of entry to prison. In 2012-13, about 21.4 per cent of prisoners were unsentenced at reception (34.5 per cent of female prisoners and 30.8 per cent of male prisoners). In 2016-17 this has increased to 32.5 per cent (50.0 per cent of female prisoners and 86.3 per cent of male prisoners). This increasing trend has been attributed to bail reforms resulting in fewer people bailed by police and courts, as well as a reduction in the overall number of sentenced prisoners through the introduction of sentences combining prison with a CCO.

Over half of the total Aboriginal prison population had been in prison previously (77% of males and 84% of females). This has been consistent for male prisoners over the past five years but is showing an increasing trend for female prisoners.

Data on the most serious offence or charge for which Aboriginal male prisoners were received demonstrates that the increase in receptions in 2015-16 occurred across several offence categories, with the most prevalent categories being assault, robbery and extortion, and other property offences. However, of these, only receptions for assault continued to increase substantially in 2016-17, increasing 30.1 per cent from 236 in 2015-16 to 307 in 2016-17. The other noticeable increase in 2016-17 was for fraud, with 18 receptions, compared to five in 2015-16.

There was a substantial increase in receptions for Aboriginal female prisoners between 2012-13 and 2015-16 (from 82 to 175, an increase of 113.4%). This increase continued in 2016-17, increasing a further 18.9 per cent to 208. This increase occurred primarily in unsentenced receptions. However, sentenced receptions for Aboriginal females increased from 17 in 2015-16 to 24 in 2016-17, the largest increase in the past five years.

Receptions of Aboriginal male prisoners in 2016-17 indicate the most serious type is assault (31.9%) and this has been the case in the previous three reporting periods. Prior to that, breach of order was the most serious offence. Data for female receptions shows the most serious offence for 2016-17 was 'other property offences' (30.8%), with burglary the second most prevalent (22.1%). These two offence types have been the most common over the past five years.

6.2. Young people involved with the Youth Justice Service

Aboriginal youth are imprisoned at 25 times the rate of non-Aboriginal youth across Australia and in Victoria at about 12 times the rate of non-Aboriginal youth. The Koori Youth Council described the main drivers for this high rate of over-representation of Aboriginal young people in the youth justice system highlighting the disproportionate extent of contact of Aboriginal young people aged between 10 and 17 years with the justice system (Koori Youth Council 2017). The Koori Youth Council also noted issues such as poor mental health, disengagement from school, drugs and alcohol and family violence as contributing factors. In our interviews with adult prisoners we heard many stories of individuals coming into contact with the justice system as youths for the reasons cited above. Not all of these early contacts led to youth detention but all left a lasting impact on the offenders and prisoners we spoke to.

Youth justice data is presented to each AJF to provide regular updates on data and programs relating to Aboriginal children and young people in the youth justice system. The most recent report made available to the evaluators was that provided to the Swan Hill AJF in October 2017. Data from that report is replicated here and offers a summary of the trends in young people involved with the Youth Justice Service.

Table 6-1 shows the total number of young people involved with the youth justice service from 1 July 2016 to 30 June 2017.

Table 6-1: Number of Aboriginal and non-Aboriginal young people in a youth justice detention centre.

Children / Young People	Grevillea Youth Justice Centre		Malmsbury Youth Justice Precinct		Parkville Youth Justice Precinct		Total	
	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%		
Aboriginal	0	0%	44	15%	65	16%	109	15%
Non-Aboriginal	11	100%	259	85%	332	83%	602	85%
Unknown	0	0%	0	0%	1	0%	1	0%
Total	11		303		398		712	

Of the 712 Aboriginal young people in a youth justice detention centre 23 (21%) were female and 86 (79%) were male. Two-thirds of the young people in detention in 2016/17 had a previous custodial order. The offence types for which young people had received custodial orders are shown in Table 6-2.

Table 6-2: Offence types for young people receiving custodial orders

Offence Type	Total
Abduction, harassment and other offences against the person	2
Acts intended to cause injury	27
Dangerous or negligent acts endangering persons	7
Homicide and related offences	1
Illicit drug offences	3
Offences against justice procedures, government security and government operations	1
Prohibited and regulated weapons and explosives offences	12
Property damage and environmental pollution	3
Robbery, extortion and related offences	40
Sexual assault and related offences	4
Theft and related offences	1
Unlawful entry with intent/burglary, break and enter	8

The most recent trend data presented to the AJF occurred in 2015 with the data showing the period 2004-05 to 2014-15. The data also show forecast projections out to 2030-31. Figure 6-3 below shows the trends for rates of youth justice supervision per 1,000 youth in youth justice centres between 2006-07 and 2014-15. As can be seen from the graph, the rates of youth detention of Aboriginal young people is significantly higher for than those for non-Aboriginal young people and with greater fluctuation between years. The rate of detention, however, is forecast to trend downwards.

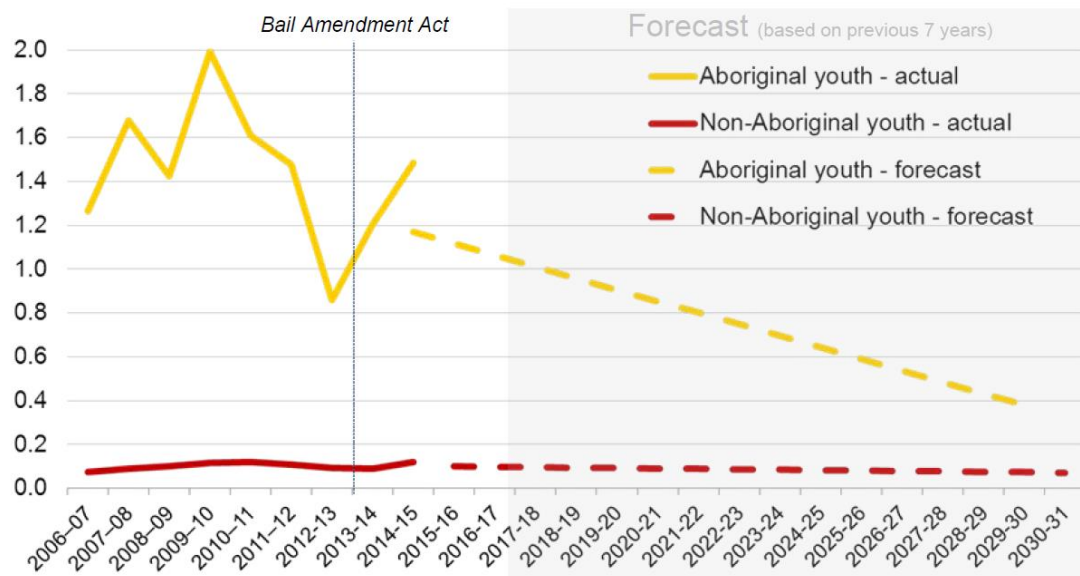
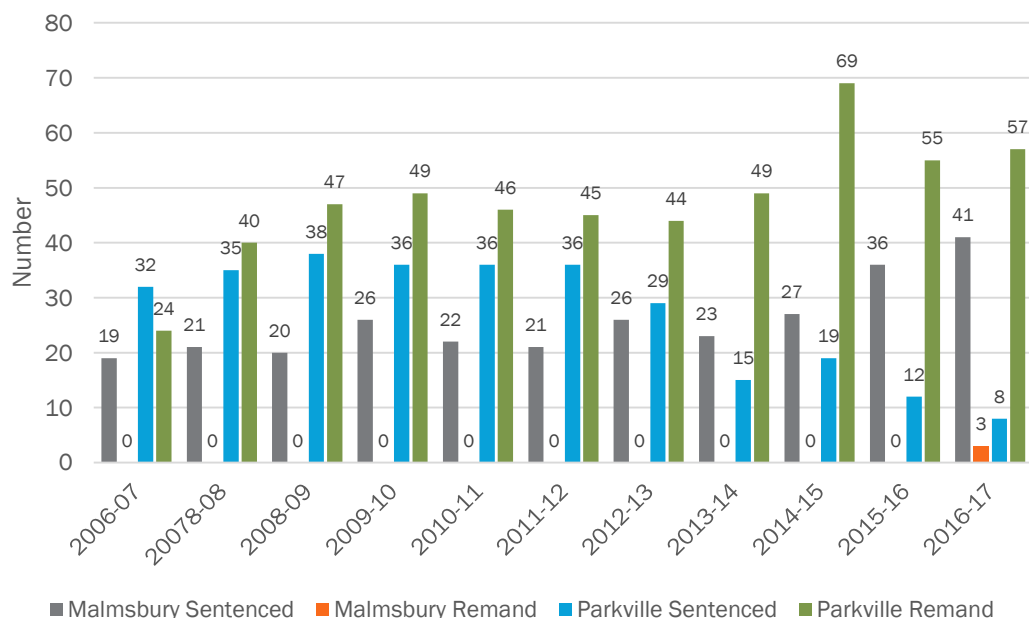


Figure 6-3: Youth Justice supervision in youth justice centres (rates)

At that time (2015) the data was showing a marked increase in the number of Aboriginal young people on remand. Subsequently, the number of young people on remand has decreased although over the longer term the trend continues on an upward trajectory.



Data sourced from: Youth Justice Data Report, AJF49 – Swan Hill and Presentation to AJF41 by DHHS entitled *Addressing over-representation of Koori Youth in the Justice System*

Figure 6-4: Number of unique Aboriginal young people sentenced and remanded (2014 - 2017)

A submission by the Victorian Aboriginal Legal Service (2017) to the Parliamentary Inquiry into Youth Justice Centres in Victoria has noted the drivers for the increase in the number of young people on remand. The key driver, they argue, is the inability to secure acceptable accommodation to enable the young person to be bailed. They also note the combination of delays in the court's processes, drug and alcohol misuse by young people, homelessness and care issues all contributing to offences being committed and thus higher numbers on remand. Stakeholders consulted for this evaluation reinforced these views with many emphasising the detrimental effect of out of home care on young Aboriginal people.

6.3. Findings from the evaluation interviews

The evaluation has sought the views and opinions of Aboriginal prisoners to understand the effects of programs delivered in the prisons but also to understand the drivers leading to their imprisonment. Although it was intended to gather views from both adults and young people in prison we did not proceed in seeking ethics approval to visit youth detention centres due to time constraints. It was intended to provide the youth perspective via consultations with agency representatives with responsibility for young offenders and by drawing on the findings from research conducted by the Koori Youth Council. This has not occurred to the extent that we had hoped and so the following discussion has an adult prison/prisoner focus.

Barwon Prison

Barwon Prison, a male-only maximum-security prison, the only maximum-security prison located outside the metropolitan area, with an operational capacity of 478. The prison was housing a total of 450 prisoners in December 2017, of which 31 (7%) were Aboriginal¹¹.

Margoneet Correctional Centre

Margoneet Correctional Centre is a medium security centre for male prisoners and offenders on remand. The prison population as at December 2017 was 783 including 38 (5%) Aboriginal prisoners

A 216-bed annexe to Margoneet opened in late 2016. Karreenga is also a medium security facility with a strong focus on rehabilitating prisoners and improving their employment prospects once they complete their sentences. A range of education programs and clinical services such as drug and alcohol treatment and offending-behaviour programs are delivered to help prisoners better transition to the community.

Loddon Prison

Loddon Prison is a medium security facility in Castlemaine which was housing 635 prisoners in December 2017. 5.2 per cent of prisoners at Loddon Prison are Aboriginal. It is a campus-style prison with four-bedroom, self-contained units and two-storey single cell blocks divided into units of 34 or 36 cells.

Summary of findings from prison interviews - male

Interviews and/or focus groups were conducted in each of the male prisons noted above with 36 male prisoners ranging in age from their early twenties to fifties. Interviews were also conducted with Aboriginal Wellbeing Officers and Aboriginal Liaison Officers in the prisons.

¹¹ Corrections Victoria, Monthly Prisoner and Offender Statistics, 2014-15 to 2017-18, retrieved from <http://www.corrections.vic.gov.au/utility/publications+manuals+and+statistics/monthly+prisoner+and+offender+statistics>

The male prisoners we interviewed typically began offending when they were children, some around seven years of age. Some of the men were wards of the state or in foster care at the time of their first contact. Others were living at home with parents who were also in contact with the justice system or were using alcohol or other drugs, contributing to family violence within the home. In many cases crime was seen as “normal”.

In most cases the men were with their peers at the time of their first offence. Their memories of their first contact with police recalled discrimination and for some, abuse. Several noted that they continue to face discrimination and racial abuse in prison.

Programs for prisoners

Two mainstream programs were referred to during interviews as having a positive impact on Aboriginal prisoners. These are the *SHINE for Kids Prison Invisit* program (PIP) and the *Re-Connect* program.

The *SHINE for Kids Prison Invisit* program supports children of prisoners when they visit with their parents in prison. The program uses qualified childcare workers and trained volunteers to keep children occupied between times spent talking to their parent. The program is helping boost emotional wellbeing and increase resilience in the children. Having their children occupied during the visit means that the prisoner and his partner can spend their time together without having to worry about the welfare of the child.

A 2013 evaluation of the SHINE program was generally positive about the effects of the program on children visiting the prison.

The impact of the PIP supporting broader family connections in the prison is an important unanticipated finding in the study. This indicates the PIP is not limited to supporting the child-parent relationship in the prison environment, but can apply to the wider family context including children with other family members in prison. The PIP promotes family bonding by normalising family interactions through shared child friendly activities in the prison environment (Devadason, 2013).

The *ReConnect* program is funded by Corrections Victoria and run by Jesuit Social Services in association with Australian Community Support Organisation, Victorian Association for the Care & Resettlement of Offenders and the Victorian Aboriginal Legal Service. *ReConnect* has a targeted stream (up to four weeks support) and an extended stream (up to 12 months support). It provides up to four weeks of targeted and intensive post-release reintegration outreach services for serious violent or sex offenders, Aboriginal and Torres Strait Islander prisoners, and other prisoners with high transitional needs. It is designed to provide responsive, tailored and flexible support.

These two programs are addressing an identified need to assist male prisoners in re-integrating back into the community. We heard from many interviewees of the challenges faced by a large number of prisoners on leaving prison. In many cases, male prisoners are unable to return to the family home because of their previous violence against the family and have difficulty in accessing other accommodation options. They struggle to reconnect with children who they may not have seen for many months or years. Finding meaningful employment is difficult for many and impossible for some. Gaining access to services, particularly health services, is challenging and there will often be no continuity of care. That is, health services provided in prison are not always accessed outside of the prison (see further below).

In terms of access to programs to help address his offending behaviour one prisoner remarked;

I've been 22 years in gaol, on and off – never had the chance to do rehab (Male prisoner)

Another prisoner suggested that participating in programs produces ‘worse’ outcomes because “if you’ve done a course and then reoffend it goes worse for you because you should know better”.

Some access to Aboriginal-specific programs was reported. The four-day *Beyond Survival* program was highlighted as one that provided a benefit to participants;

I got more out of it than out of any of the others. And they [program deliverers] are coming back to visit – they genuinely care (Male prisoner)

It's the most enthusiastic I've seen the men. Four days in a row in a classroom setting and they were waiting at the door every morning. (Aboriginal Liaison Officer)

Beyond Survival was funded in 2017-2018 under Kaka Wangity Wangin-Mirrie – Aboriginal Cultural Programs Grants Scheme, to address cultural strength as a protective factor to help reduce re-offending for Aboriginal prisoners and offenders.

Ten Loddon prisoners completed a 44-hour Aboriginal specific AOD program delivered by Aunty Trudy Cooper (Caraniche). The aim was to provide effective drug and alcohol treatment targeting the relationship between substance use and offending in a way that was culturally secure. The AWO reported that the men respected Aunty Trudy as she talks to them on their level. This was a pilot and has not been repeated to date. Program development commenced in early 2016, funded by Justice Health. A program advisory board included community representatives to guide development and delivery of the model. This was the first Aboriginal specific criminogenic Alcohol and Drug treatment program being offered in Victoria’s prison system. Engagement with the local Aboriginal community informed program development and delivery which includes involvement of Elders¹².

Similar positive views were expressed of the Dardi Munwurro’s Men’s Behaviour Change programs.

Positive engagement with the Statewide Indigenous Arts in Prison and Community (SIAPC) program provided by The Torch was most apparent in evaluation interviews at Marngoneet, held in a dedicated Aboriginal space. The SIAPC, delivered in men’s and women’s prisons, aims to reconnect prisoners with their culture while building their artistic skills and business acumen.

Challenges

Some of the challenges the men faced on leaving prison included access to suitable housing or accommodation, gaining employment and continuing access to appropriate rehabilitation services. The two comments below sum up the differing experiences these men have had:

Rehabilitation – I forced myself to do it. Galliamble was good – regular health worker visits, community support, helped by Indigenous workers in the employment area. You can get taken directly from here to Galliamble – they’re good (Male prisoner)

Courses are bullshit – we need real support when we get out. (Male prisoner)

Aboriginal Wellbeing Officers (AWOs) and Aboriginal Liaison Officers considered the extent to which client information is shared an issue in the service network. A factor facilitating service delivery is that AWOs share information about clients as the client moves from prison to prison:

A traumatised young man going to [higher security prison] because he’s become unmanageable.. They put him in isolation here and the first couple of days he was hitting himself and going crazy. I know him and I know he’s been kidnapped and put in the boot of a car. Our system doesn’t allow for that sort of thing. We’ll liaise with the other AWOs before he goes so that they know. And I got his back story from the previous prison (Aboriginal Wellbeing Officer)

¹² See fnError! Bookmark not defined.

The AWO and Aboriginal Liaison Officer positions are vitally important for supporting the men, fostering a “positive brotherly vibe” (e.g. through a weekly men's yarning circle) and often managing anxiety and clearing up confusion about the system.

Mainstream behaviour change programs are difficult to access and have attracted negative feedback. The prisoners we interviewed considered they made better progress in Aboriginal-specific programs.

Educational courses (provided through the TAFE) are appreciated.

The interviews highlighted several service gaps and limitations for prisoners including:

- Links to outside services for prisoners prior to release are extremely limited (note: the service organisations we interviewed noted that they are not funded to visit clients in prison).
- After release from prison, case management is time limited which means that support is not continued and parolees/offenders are not receiving the ongoing services they may require to address their issues
- Release on parole is currently limited, owing to some high profile serious and fatal breaches by non-Aboriginal offenders. We heard that parole officers can approach their duty therapeutically (rather than simply as a compliance officer), looking at underlying issues and offering help.
- Release on parole is also unavailable to many offenders as they are on short sentences of less than 12 months.
- Release on parole is also unavailable to many offenders if they are unable to provide an address that is approved, owing to the criminal record of others in the house.

They get 6, 7, 8 addresses knocked back, so they stay in prison and are left to their own devices when they are freed. (Aboriginal Wellbeing Officer)

Programs need to address disadvantage more broadly than having a singular focus on criminal offending behaviours and they need to be culturally appropriate:

- In prisons, many of the men interviewed felt disconnected from self, family and community. Asked about their spirit, 'lost' and 'broken' were common replies. Social and emotional wellbeing are the focus of *Beyond Survival* and *Dardi Munwurro* programs, which are both described as effective because they address the whole person in a culturally safe way and recognise underlying issues such as past trauma.
- One Aboriginal Liaison Officer and a prison programs officer suggested that increasing the number of community members to come into the prisons to support prisoners would assist. Without this support the prison-based liaison and wellbeing officers struggle to meet the needs of all of the Aboriginal prisoners.

After cultural programs they feel empowered but there's little or no follow-up. We have a men's group every week but we do struggle to get community people to come in for it – and there's no pay (Aboriginal Liaison Officer)

As well as supporting Aboriginal prisoners some consideration needs to be given to the support offered to AWOs and Aboriginal Liaison Officers. They operate somewhat independently and 'outside' of the system and the support they offer is generally intensive. We have heard that there has been a high turnover of AWOs at some prisons and attracting suitable people to the role has been difficult. One Officer noted

I don't think the role is compensated at the right level, at VPS3. We are called to do so many things – with prisoners, their community, and we manage our own day. We are looked to for a lot of answers. Senior education Officers, with similar demands, are on VPS4. I need to be equipped to deal with whatever I hear. There's no counselling or professional supervision, other than the Employee Assistance Scheme. But we have quarterly Aboriginal staff networking meetings within Corrections, led by the Aboriginal Programs Unit. (Aboriginal Liaison Officer)

Dame Phyllis Frost Correctional Centre

Dame Phyllis Frost Correctional Centre (DPFCC) is a maximum security women's prison located in Ravenhall about 30 kms west of Melbourne. The prison has an operational capacity of 482. The facility houses female prisoners of all classifications and there are medium and minimum security units providing separate rooms with kitchen and dining facilities.

The prison population in December 2017 was 440 including 62 Aboriginal prisoners, 14 per cent of the total prison population.

Summary of findings from prison interviews - female

This was the only women's prison visited for this evaluation and so we provide this discussion as a summary of findings of the issues facing women in prison¹³.

Interviews were conducted with the General Manager of the facility and staff including the Aboriginal Wellbeing Officer, Assessment and Transition Co-ordinator and the Remand Coordinator. We also spoke with nine prisoners in a focus group discussion.

There are five Aboriginal staff at DPFCC who are supporting the women in prison. Currently there are no permanent full-time Aboriginal health workers or counsellors and this is seen as a deficit for the women in prison. At the time of the field visit the prison housed 62 Aboriginal women, about 14 per cent of the total prison population. This number represented an increase of about 10 per cent in three months. Most of the women were said to be in prison for low-level offences which tended to be driven by financial motivations or associated with illicit drug use.

Staff report a significant number of women are in the Centre for very short periods of time between one and seven nights. Just prior to our site visit 14 women were received who were in prison for one night and then released the next day. One of the concerning issues about these short stays is the difficulty the released women have in returning home, as the case relayed by one staff member attests;

One woman was released at 4.30pm and expected to attend the Probation and Parole office in Warrnambool the next day. We've had similar stories for women released who had to travel to Mildura. Then they've got a CRN [Corrections Reference Number] and they lose their access to housing and maybe lost their children (Staff member).

There have been occasions where prison staff have driven released prisoners home so that they don't breach their bail or other conditions. This is clearly outside of their formal responsibilities but is seen as a necessary undertaking.

Women have access to a number of programs while in prison including the art program delivered by The Torch. Prisoners producing art through The Torch's program are able to sell their works with any interest earned on monies held in Trust paid to a victims of crime fund. A program delivered by the Aboriginal Family Violence Prevention and Legal Service (AFVPLS) Victoria is *Dilly Bag*, a two-day personal development workshop focused on healing and wellness. Another program, also offered by

¹³ During our data collection period there was reported to be only one Aboriginal woman at Tarrengower, the other women's prison.

AFVPLS at DPFCC is the *Sisters Day In*. Delivered in a workshop setting this program brings women together to raise awareness of family violence and encourages self-care and connection.

Factors contributing to offending

Staff at DPFCC have noted the impact of increasing usage of drugs, particularly methamphetamine (ice), by women entering the Centre. They are also noticing an increasing number of women referring to family breakdowns and how this is contributing to their offending behaviour.

The women we spoke with ranged in age from 30 to 42 years (not all women gave their age). The number of times these women had been in prison ranged from one (this current sentence) to eight and for offences of stealing and violence. All but one woman had children who were being looked after by family members or who were in out of home care with Aboriginal and non-Aboriginal carers. Of the women with children, two said that they communicated regularly with the children by telephone [“I don’t want the children coming to the prison to visit me”]; one has no contact with her children as they have been placed into care and she does not hear how they are progressing; the remainder did not divulge whether they had contact with their children.

The women we interviewed referred to a number of programs and courses they are participating in while in prison including a TAFE course, literacy and numeracy classes, the Peer Listener program, Koori Art program and the Koori Women’s Meetings to assist in preparing for release.

The major concerns raised by the prisoners related to the following areas:

- lack of housing on release and the difficulty in accessing housing because of their criminal record. related to this is a fear of returning to accommodation they were in prior to arrest and “reconnecting to the old crowd and reoffending”
- child welfare and the issue of having their children placed into care and the difficulty of re-establishing contact and caring
- access to mental health services in prison (particularly for remand prisoners) and the community.

7. Barwon South West

7.1. The Place - About the Barwon South West Region

The Barwon South West region extends from Geelong on Port Phillip Bay in the east to the South Australian border in the west and north to Balmoral in the Southern Grampians. The area includes the local government areas of Greater Geelong, Queenscliff, Colac Otway, Surf Coast, Warrnambool City, Moyne, Corangamite, Glenelg and Southern Grampians covering 29,130 square kilometres (about 13% of the state of Victoria).

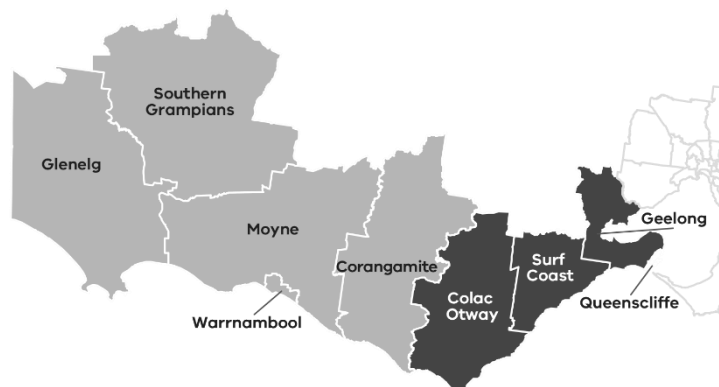


Table 7-1: Population of local government areas in the Barwon South West Region (ABS Census data 2016)

LGA	Total Population	Aboriginal	Non-Aboriginal	% Aboriginal
Colac – Otway	20,971	249	20,722	1.2
Corangamite	16,053	150	15,900	0.94
Glenelg	19,556	478	19,074	2.43
Greater Geelong	233,426	2,402	231,015	1.03
Moyne	16,499	200	16,306	1.16
Queenscliff	2,854	8	2,839	0.24
Southern Grampians	15,941	237	15,698	1.5
Surf Coast	29,402	185	29,211	0.64
Warrnambool	33,655	555	33,101	1.65
TOTAL	388,355	4,480	383,880	1.15

The total resident population of the Barwon South West region at the last census (2016) was about 388,355 with Aboriginal people accounting for about 1.2 per cent of this population. The actual number of Aboriginal people is likely to be higher given the high number (23,932) who did not nominate their Indigenous status on the census forms. The City of Greater Geelong is the local government area with the highest number of Aboriginal residents of all local government areas (LGAs) in this study. The Aboriginal population in Greater Geelong has increased by close to 70 per cent in the past ten years. The Glenelg Shire has the highest proportion of Aboriginal people of all LGAs across the region at 2.4 per cent. Queenscliff has the lowest proportion of Aboriginal people at 0.3 per cent. The total population of the region has increased by nearly 14 per cent over the past ten years with the Aboriginal population in the region increasing by a substantial 60.5 per cent (1,688 persons) over that period. Such increases are likely to have considerable impact on service delivery, particularly if resourcing is not matching population growth.

As is the case in most regions across Australia the Aboriginal population in Barwon South West is young, with a median age of 21 years. By comparison, the median age for the non-Aboriginal population is double this at 42 years. The population pyramid below shows the age distribution of

Aboriginal men and women in the region. The young population profile of this region has important ramifications for policy and program development as there is sizeable number of young people who are about to reach an age where first contact with the criminal justice system often occurs.

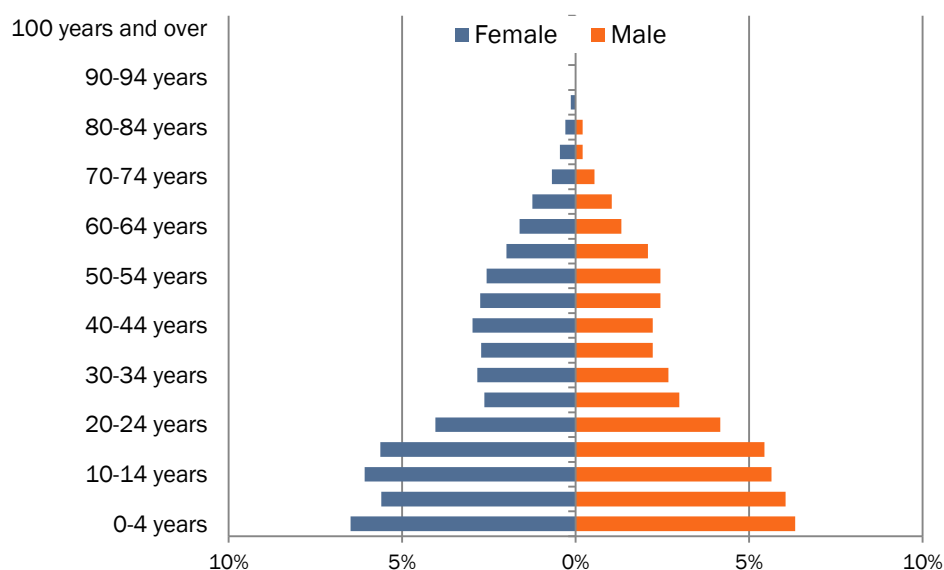


Figure 7-1: Age distribution of Aboriginal population in Barwon South West (ABS Census data 2016)

Educational attainment across the region is comparable to the state with about 33 per cent of Aboriginal people having achieved Year 12 (36% for Victoria). About 5.5 per cent of the Barwon South West Aboriginal people aged 15 or older has a Bachelor's degree (compared to 6.2 per cent of the same cohort across Victoria).

The area has a diverse economy with industries providing manufacturing, retail trade, health care, construction, education and training, agriculture, forestry, fishing and tourism. The largest employing industries in the region are manufacturing, health and retail trade.

7.2. Aboriginal people in Barwon South West

The region is home to eight Aboriginal language group territories. In the west is the land of the Dhauwurd Wurrung (**Gunditjmara**) people centred around the town of Portland on the southern coast. The Gunditjmara people hold native title over a large area of land in the western area of the Barwon South West region and hold native title over an area between the Shaw and Eumeralla Rivers with Eastern Maar Peoples.

North from here, in the northern and western Gariwerd ranges, and on the Wimmera Plains to the west is the land of the **Jardwadjali** people.

The town of Halls Gap lies on land which was occupied by clans speaking the Djab Wurrung language. The language group boundary generally extended from Stawell in the north to Mt. Napier and Hexham in the south.

The Watha Wurrung (**Wathaurong**) people are the direct descendants of the original custodians of the Geelong, Ballarat and Beaufort districts and are part of the Kulin Federation, which is made up of five distinct but closely related language groups.

The area that is now the Surf Coast Shire is the traditional home of three Aboriginal nations, the Wathaurong, the Gulidjan and the Gadubanud. The **Gulidjan** were based to the west of the Barwon

River at Winchelsea and past Colac. The **Gadubanud** were located west of the Painkalac Creek along the Otway Ranges.

The **Djargurd Wurrung** people are the traditional Aboriginal owners of the land around Camperdown and districts. The Djargurd Wurrung consisted of 12 clans, sharing a common language and strong cultural and family links, but each with its own territory and traditions.

The **Girai** Wurrung traditionally occupied the territory extending from Warrnambool and the Hopkins River eastwards to the coastal town of Princetown, and inland as far as Lake Bolac and Darlington; east to beyond Camperdown.

7.3. Justice issues in Barwon South West

Community and government stakeholders interviewed for this evaluation were asked to identify what they thought to be the main justice issues of concern in the region. There were several that were thought to bring the greatest impact: these were the growing number of women being imprisoned on very short sentences and the resultant impact of their imprisonment on their families; the high number of fines incurred for driving without a licence (often the result of the inability of people to obtain a birth certificate) and suspended licences due to road related fines. Non-payment of fines sometimes results in short term incarceration. There are high levels of alcohol and other drug problems and family and domestic violence. One Aboriginal health worker said “we are failing our men, there are huge drug and alcohol and domestic violence problems in our community. The use of ice and the link this has to domestic violence and theft is increasing”. Drug use was highlighted as an issue in all regions we visited.

Barwon was one of three areas (the others being Gippsland and Hume) that were targeted in the 2017/18 state budget allocation of \$81.1 million for stage three of the Ice Action Plan. The government committed funding to acquire land in the Barwon region to build a residential drug rehabilitation facility (Neville 2017). This more recent funding builds on other state funding for community-based withdrawal treatment beds in Geelong (2015/16) and a residential rehabilitation facility in the Grampians region (2016/17). Such regionally-based facilities, although not Aboriginal-specific, assist in eliminating the need for those seeking residential treatment to go to Melbourne, keeping people closer to their families and community support networks.

7.3.1. Police data

Data referred to below is from the Crime Statistics Agency Aboriginal Justice Indicators – Victoria Police dashboard and covers the period 1 January 2012 to 31 December 2016 unless otherwise stated.

Police data prepared by the Crime Statistics Agency (CSA) present 2016 crime data by offence type and are reported as the rate per 1,000 population to allow comparison across regions. These data show that the highest rate of offending by Aboriginal people in Barwon South West relates to ‘property and deceptions’ offences. This includes offences such as property damage, burglary/break and enter, theft, arson, deception and bribery.

The second most prevalent types of offence are those against justice procedures, including breaches of orders. Crimes against the person are the third most prevalent offence type. This includes assault, sexual offences, stalking, harassment and threatening behaviour, and homicide.

‘Other’ offences include regulatory driving offences and would include driving without a licence. According to the CSA data no offences of this type were recorded in 2016. Given this was raised as an issue during consultation it may be that initiatives to assist people to obtain their driving licence may already be having an impact or that this is not the most serious offence a person is charged with. The

CSA data shows 12 offences in the 'other' category but this dropped to around 3 in 2013 and 4 in 2015.

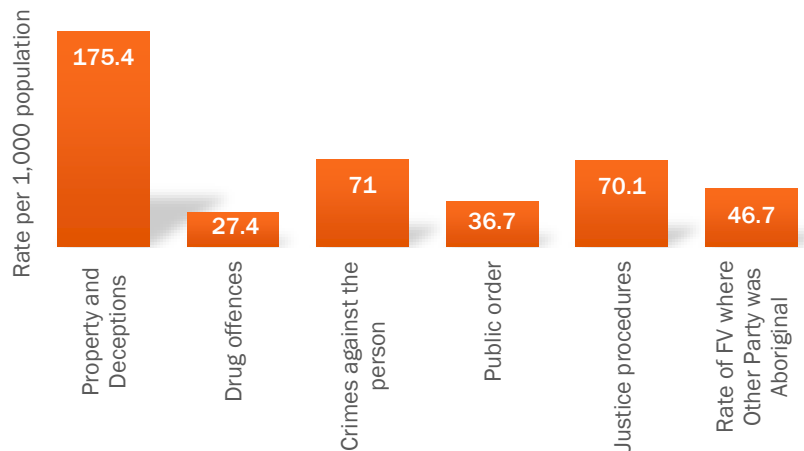


Figure 7-2: Offence types Barwon South West Region (2016)

The figure above shows the rate of family violence where the perpetrator ('other party') was Aboriginal. In 2016, family violence incidents occurred at a rate of 46.7 per 1,000 population. Over the past five years this has been showing an increasing trend as indicated in Figure 7-3 (compare three other regions investigated in this evaluation). With 146 incidents of family violence recorded in 2012 compared to 206 in 2016 there has been an increase of 41 per cent.

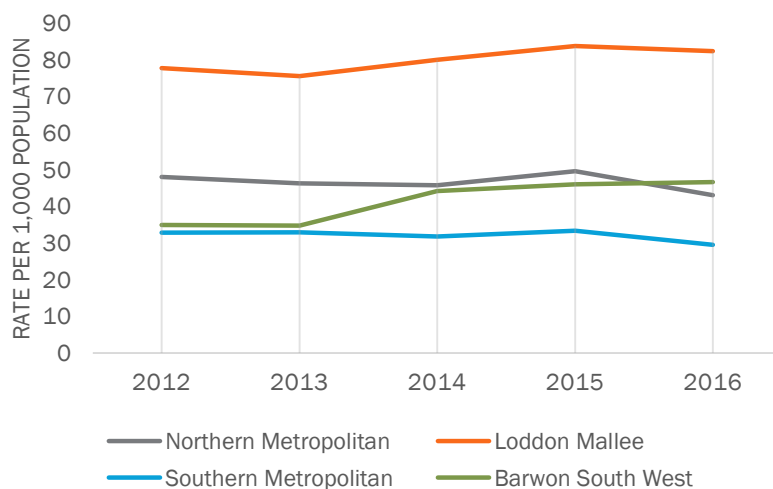


Figure 7-3: Rate of family violence where other party was Aboriginal (per 1,000 population, 2016)

Diversion is a key objective of AJA3, specifically the diversion of young people from further contact with police. One indicator of the extent to which young people are being diverted is the level of police cautioning of young offenders. Police cautioning of first time young offenders in Barwon South West increased between 2012 and 2016 after initially falling in 2013. In 2016, 77.3 per cent of first time young offenders received a caution by police.

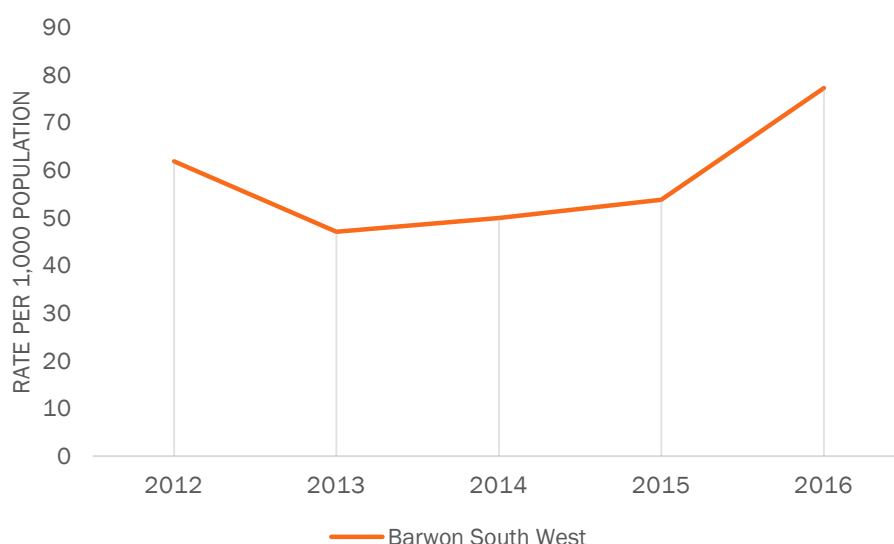


Figure 7-4: Proportion of first time young offenders who received a caution by police, by year, 2012-2016

7.3.2. Community corrections (adults)

While Aboriginal people comprise about 1 per cent of the total population of the Barwon South West region but are over-represented in the number of people serving CCOs: about 8 per cent of adult offenders serving orders in the region are Aboriginal.

Similar to other regions in Victoria, Barwon South West has seen a steady increase in the number of female offenders subject to CCOs over the period of the AJA3. Although the absolute numbers are low, between 2013 and 2017 the number of female offenders has more than doubled to 39. The 116 per cent increase in female offenders compares with an increase, over the same term, of 71 per cent for male offenders. The age group that has seen the greatest increase in offending are those aged between 25 and 34.

Interviews conducted with Community Corrections Services (CCS) Officers in Geelong reported on the increasing number of all offenders, but particularly female offenders being managed on a CCO in the City. To give an indication of the workload in the Geelong CCS, as at August 2017, the office was managing 7 per cent of all Aboriginal female offenders on CCOs in the state. Between 2016 and 2017, the number of female offenders being managed had doubled from 9 to 18. Further, over 55 per cent of all Aboriginal offenders on CCOs are categorised as high risk, necessitating a higher level of case management.

The caseloads of all case managers and case officers at the Geelong CCS are said to be difficult to contain.¹⁴ It is understood that the recommended caseload for an Advanced Case Manager is 25 high- and medium-risk offenders with complex needs. The Advanced Case Managers at Geelong are managing between 40 and 50. A similar story is evident for Case Managers who are managing 60 or more cases when the recommended number is 25 to 40. Case Officers, managing low risk offenders, have upwards of 120 cases when the recommended case load is 80. Such caseloads make it extremely difficult for case managers of clients with complex needs to provide sufficient time to each offender and reduces the effectiveness of the management. In contrast, a Supervisor in Geelong related a conversation with an officer from Box Hill in the Eastern Metropolitan region who noted that

¹⁴ A Regional Director later identified this as a transitional effect of expansion and difficulties in recruitment and training, which had worked its way through the system.

caseloads for Advanced Case Managers had been capped at 25 in that location and they were seeing an increase in the number of successful completions of CCOs as a result.

Data for 2016-17 show the largest proportion of orders were issued for offences of assault (21.8%) and offences against good order (21.1%). It should be noted that the proportion of offences for assault is considerably lower than all other regions. Conversely, the proportion of offenders on CCOs for good order offences is the highest of all regions and in some cases by a very wide margin (e.g. 1 per cent in the Eastern Metropolitan region). Driving offences and other property offences were the next most common offence types receiving a community order sentence. The most common type of order was a 'fine order' accounting for almost half of all orders issued and the highest proportion of fine orders in any region.

CCOs were successfully completed by about 62 per cent of both male and female Aboriginal offenders. This successful completion rate was slightly higher than the rate across of all regions at 57.1 per cent. The highest success rates occurred for offenders aged between 45 and 54 years.

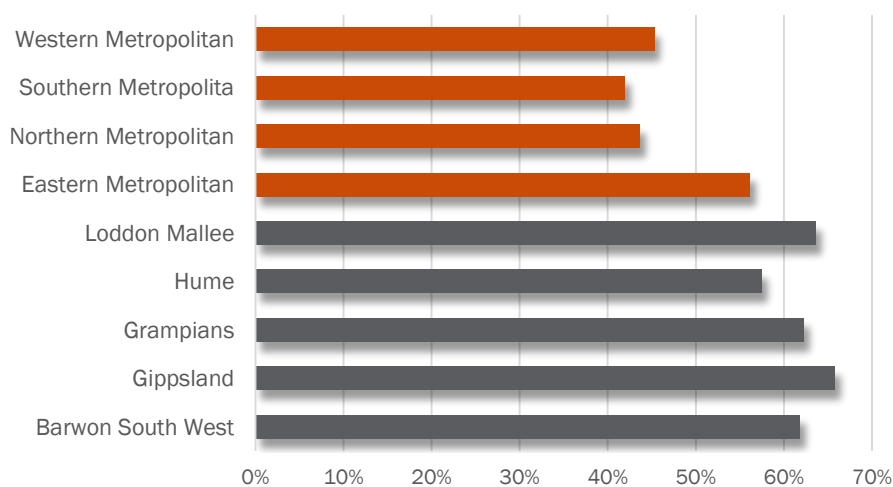


Figure 7-5: Proportion of orders successfully completed for Aboriginal offenders by region, 2016-17

CCOs will often have conditions attached including a condition for the offender to complete treatment or rehabilitation programs. In Barwon South West, 71 per cent of orders included a condition to undertake at least one alcohol and other drug treatment program. Almost 65 per cent included a condition to complete a program to reduce re-offending (up from 35 per cent in 2012-13). These programs are typically delivered by service providers within the region, so it would be expected that an increasing trend towards placing conditions on orders will place greater pressures on service providers. Of the 75 unsuccessful order completions, about three-quarters were the result of a breach of conditions.

Most CCOs being served by Aboriginal offenders in the Barwon South West region were for a duration of six months or less. Overall, about 80 per cent of orders were 12 months or less in length. There has been a decreasing trend (-12%) in shorter CCO duration between 2012 and 2017 and a corresponding increasing trend (+14%) in CCOs of 13 to 18 months duration. This is likely the result of legislative change and other justice reforms.

A number of issues were raised about the effectiveness of CCOs in Barwon South West. There was a view that they were not working because of high levels of reoffending. Where they are ineffective it has been put down to offenders not taking them seriously and because the consequences of a breach are not acting as a sufficient deterrent. Interviewees suggested that where CCOs do work is when offenders are open to them and will take on board the tools that can make positive change. As noted,

however, adequate access to adequate case management time and to appropriate specialist programs are among other likely factors.

7.3.3. Youth justice community orders

The Youth Justice Service presents data to the AJF at each forum. According to the report delivered to AJF49 in October 2017 and for the period 30 June 2016 to 30 June 2017, the average daily number of young people on youth justice community orders in Barwon South West was as shown in the table below.

Table 7-2: Average daily number of young people on youth justice community orders Barwon South West region, by gender (2015-17)

Year	Aboriginal		Non-Aboriginal		Not known	Grand Total
	Female	Male	Female	Male		
2016-17	4.0	13.4	11.2	47.4	0.0	76.0
2015-16 ¹⁵	2.7	13.7	16.5	13.7	67.9	81.6

The table below shows the age distribution of Aboriginal young people in Barwon South West who are on youth justice community orders. Female offenders on orders are more likely to be aged between 15 and 17 years. Male offenders on orders are typically aged 15 years and older.

Table 7-3: Average daily number of young Aboriginal people on youth justice community orders, by gender and age (2016-17)

Region	Female			Male				Total
	12-14	15-17	18+	10-11	12-14	15-17	18+	
BSW	0.4	3.2	0.4	0.0	1.1	6.2	6.2	17.4

7.4. Major places in Barwon South West

Barwon South West is a large, mostly rural area with two major population centres; Geelong and Warrnambool.

7.4.1. Geelong

Geelong is the second largest city in Victoria, and the largest population centre in Barwon South West. Over the past ten years the population of the City of Greater Geelong has increased by about 18 per cent. The Aboriginal population has increased by 69 per cent - a 75 per cent increase in the female population and 62 per cent increase for males.

A survey on the health and wellbeing of Victorians conducted by VicHealth in 2015 found perceptions of safety in Geelong very high. Almost all (96%) Geelong residents felt safe walking along during the day and over half (55%) felt safe walking alone at night.

In 2013, Justice Connect Homeless Law, a specialist legal service for people experiencing, or at risk of homelessness, undertook an analysis of housing and legal need in Geelong. It is well recognised that many of the factors contributing to homelessness also contribute to contact with the justice system. Respondents to the study indicated an increasing trend in referrals related to family violence,

¹⁵ Data sourced from Youth Justice Data Report presented to AJF46, Ballarat

family breakdown and associated financial issues. Services indicated that the increase in local redundancies and changes to the Centrelink Parenting Payment have increased financial hardship. Accommodation options are limited. The combined pressures of rental affordability and the limited accessibility of public and community housing in Geelong mean people are staying in transitional housing, and crisis and refuge accommodation for longer periods. The prevalence of these issues is also likely to drive offending behaviours.

The city hosts a number of service providers assisting people in situations like those described above. Many of these services have been established with the specific intention of supporting Aboriginal people who have been caught up in the justice system. Some of the major service providers and services referred to during the evaluation consultations are:

- **Wathaurong Aboriginal Co-operative** formed in 1978 to support the social, economic, and cultural development of Aboriginal people, particularly within the Geelong and surrounding areas. Wathaurong Aboriginal Co-operative aims to “achieve minimisation and elimination of our community's contact with the justice system, through education and intervention, as well as working closely with other programs and services to address core issues that lead to individual offending”. The organisation oversees the completion of CCO community work hours at Wurdi Youang where offenders undertake conservation and land management work. This gives offenders and prisoners an opportunity to contribute to the Aboriginal community as well as obtain qualifications relating to the work undertaken.
- **Barwon Child, Youth and Family** is a not-for-profit community service organisation providing a range of services including some justice related services, including Youth Justice Community Support and Youth Justice Conferencing. They currently provide individualised intensive support for young people on Youth Justice Orders complementing the case management undertaken by Youth Justice Units. Young offenders are offered support in the areas of employment access, education and further training, mental health, alcohol and other drug services, housing and connectedness to family and community.
- **Barwon Community Legal Service** provides free legal advice, education and support to people who live in the Geelong, Bellarine Peninsula, Surf Coast and Colac Otway regions.
- **Justice Connect** offers pro bono legal services and provides legal information directly to clients and not-for-profit organisations and via their online website. In 2017, about 12 per cent of Justice Connect's clients were Aboriginal. Justice Connect also offer social work support through their Homeless Law Program.
- **Victorian Aboriginal Legal Service** Geelong office provides 24-hour support including referrals, duty work and case work assistance to Aboriginal people in the Barwon South West region. They are also heavily engaged in delivering community education to help people understand their rights and responsibilities under the law.
- **Murrenda Aboriginal Community Care Ltd** is a separately incorporated company of the Uniting Aboriginal and Islander Christian Congress which is wholly controlled by Aboriginal people. Murrenda aims to address the disproportionately high levels of social disadvantage within the Aboriginal community to achieve equitable outcomes for the Aboriginal and Torres Strait Islander Community by delivering culturally appropriate programs and initiatives. The centre is visited by the Mobile Justice Service Centre (Justice Bus), which is operated by the Department to bring justice services to regional areas. Murrenda is a partner in the Geelong Project (see below).
- **The Geelong Project** is an innovative, place-based, ‘community of schools and youth services’ model and platform for early intervention with young people at risk of disengaging from school

and becoming homeless. It is an initiative of Time for Youth with partners Swinburne University and Geelong Region Local Learning and Employment Network.

7.4.2. Warrnambool

Warrnambool is the largest coastal city outside Port Phillip Bay and is the fastest growing economy and population centre in the Barwon South West region. Tourism is central to the economy of the city which attracts more than 700,000 tourists each year.

Perceptions of safety in Warrnambool mirror those of Geelong with almost 97 per cent of people feeling safe walking along during the day and 56 per cent feeling safe walking alone at night.

The city has a number of Aboriginal organisations and services providers, including:

- **WG Enterprises** (formally known as Worn Gindidj Aboriginal Cooperative) provides pre-employment support services, employment placement services and mentoring services aimed at assisting employers to retain their Aboriginal employees. The organisation also offers community support services including Positive Peer Pressure Programs that are aimed at building connectedness and broadening social networks.
- **Gunditjmara Aboriginal Cooperative Ltd** is a non-profit organisation set up in 1982 by the local Indigenous community to serve the needs of its members and the Aboriginal community in Warrnambool and across the Western District of Victoria. Gunditjmara provides services in adult day care, aged care, home care and community care.

The *Close the Gap* program run out of Gunditjmara focusses on healing and family support. Participants in the program have a Cultural and Healing Plan developed as part of the project. Justice clients are referred to Gunditjmaram to gain access to this program.

Gunditjmara received funding from the Koori Youth Crime Prevention Grants to engage young people in cultural heritage workshops, managing bullying, road and bike safety (facilitated by Victoria Police), information regarding alcohol and other drugs, meaningful and respectful relationships and physical health.

- **Djirra** (formerly Aboriginal Family Violence Prevention and Legal Service Victoria) is an ACCO established in 2002 to provide assistance to Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault and to work with families and communities affected by violence. They provide free legal advice, ongoing casework and court representation and also deliver legal education in the community. FVPLS have an office in Warrnambool which covers the Barwon South West region.
- **Warrnambool Local Aboriginal Network (LAN)** meet regularly to plan and build community strengths and increase community participation, which includes social, economic, cultural, sporting and civic activities. The LAN program objective is to:
 - provide a voice for local Aboriginal communities
 - be a mechanism to identify community aspirations through community planning
 - provide a means to work together to implement plans in partnership with a range of stakeholders (partnerships include all levels of government, business, philanthropy and the extended community)
 - connect services and individuals to enable greater coordination of community engagement, participation, collaboration and implementation of programs.

7.4.3. Elsewhere

There are two Aboriginal organisations operating in Portland - Winda-Mara Aboriginal Corporation and Dhauwurd Wurrung Elderly & Community Health Services Inc. These, and other services, are listed below.

- **Winda-Mara Aboriginal Corporation** provides services to the local Aboriginal communities in and around the far south west Victorian towns of Heywood, Hamilton and Portland. Winda-Mara provides a broad range of services in the following fields:
 - health
 - community services
 - housing
 - land management
 - heritage & culture
 - economic development
 - tourism
 - family services and kinship care
 - home and community care
 - education & training and employment

Winda Mara received funding through the Koori Youth Crime Prevention Grants to deliver cultural, wellbeing and safety activities aimed at cultural enhancement, understanding family history and personal safety, particularly around alcohol and other drugs.

- **Dhauwurd Wurrung Elderly and Community Health Service Inc.** provides a wide range of health services to the Portland community. DWECHS has a Psychologist, GP, practice nurse and Aboriginal Health Workers providing:
 - home and community care services
 - alcohol and other drug services
 - ear and eye health
 - diabetes management
 - nutrition and health promotion programs
 - mental health services.

Dhauwurd Wurrung Elderly and Community Health Service is a member of the Victorian Aboriginal Community Controlled Health Organisation (VACCHO).

Funding from the Koori Youth Crime Prevention Grants enabled Dhauwurd Wurrung Elderly and Community Health Service to deliver three, two hour weekly sessions to young people aimed at cultural strengthening, health and wellbeing, rights and responsibilities and leadership activities.

- **Youth Referral and Independent Person Program** operates in police stations across Barwon South West (specifically, Anglesea, Apollo Bay, Colac, Geelong, Lara, Torquay and Warrnambool). Youth Referral and Independent Person Program delivers a high-quality system of adult volunteers called "Independent Persons" who attend police interviews with young people in police custody when a parent or guardian is not available. Youth Referral and Independent Person Program also seeks to divert young people from future offending through early intervention at the point of police contact. It also provides volunteer Independent Persons to over 3,000 police interviews with young people per year.
- **Kirrae Health Service** is located on the Framlingham Aboriginal Community and supports the physical, mental and emotional health of Aboriginal people in the community.
- An **Aboriginal Community Justice Panel**, staffed by volunteers who are on stand-by 24 hours, seven days per week to assist any Aboriginal person taken into custody operate in Warrnambool and Geelong.

7.5. Justice services in Barwon South West

The region is served by two primary DJR service locations:

1. Geelong Regional Office: services provided include birth, death and marriage enquiries, community corrections, correctional facilities and prisons, resolving disputes and reaching agreements and sorting out fines and warrants.
2. Warrnambool Justice Service Centre: services provided include birth, death and marriage enquiries, consumer help and information, community corrections, correctional facilities and prisons, resolving disputes and reaching agreements, regional and local Aboriginal Justice Committees and sorting out fines and warrants.

The region is also home to three correctional facilities: Barwon Prison, Marngoneet Correctional Centre, and Karreenga, all located at Lara (Refer Section 6).

Koori Courts have been established in Warrnambool and Geelong. Sittings are held in both the Magistrates' and Children's Court jurisdictions.

Barwon South West is served by three LAJACs located in Geelong, Glenelg and Warrnambool. The RAJAC Chair is based in Portland and the Executive Officer in Warrnambool but meetings are held throughout the region.

The Koori Youth Justice Program in Barwon South West delivers the following place-specific programs:

- Advanced Koori Intensive Support Practitioner operating out of DJR- Geelong Office
- Community Based Koori Youth Justice Program delivered by Wathaurong Aboriginal Cooperative
- Community Based Koori Youth Justice Program operating delivered by Gunditjmara Aboriginal Cooperative.

7.6. Current community grants funding in Barwon South West

The following organisations are currently funded to provide the Local Justice Worker Program in the Barwon South West region:

- Winda Mara Aboriginal Corporation (Heywood).
- Wathaurong Aboriginal Cooperative (Geelong).

The Local Justice Worker Program provides case management support for Aboriginal offenders to manage fines and outstanding warrants, and successfully complete community based orders to reduce breach rates.

Organisations in the Barwon South West region have also been successful in receiving grants funding through the Community Initiative Program and through the Koori Youth Crime Prevention Grants administered by the Crime Prevention Unit (see

Table 7-4).

Table 7-4: Current community grants funding – Barwon South West

Program	Organisation name	Project description	Location	Funding
Community Initiative Program	South West Alternative Medium Inc (SWAMP)	The Marmoot Karman (SWAMP Painters) Project provided opportunities for 20 Aboriginal artists of all ages to find a medium to express identity and self, access mentoring, art and craft resources, development opportunities, meet and connect with other artists and develop a social enterprise. This project targeted Aboriginal youth, men and women who have had minimal contact with the justice system, those who had been incarcerated and those who had completed their community correction orders and were rebuilding their lives.	Portland, Warrnambool and Hamilton centres	\$60,248
Koori Youth Crime Prevention Grants	Kirrae Health Service Inc	Led by Kirrae Health Service Inc, the <i>Koko Blokes</i> project targeted Aboriginal boys aged 8-17 from the Framlingham Aboriginal Community in a series of workshops over two years. The workshops focused on positive role modelling, alcohol and other drug use, domestic violence, isolation (the community is some distance from Warrnambool and not well serviced by public transport to support participants in social, sports events and carnivals), acculturation, respect, traffic incidents, cyber safety and culture. The program will challenge the participants to explore where these issues fit in with Aboriginal culture.	Framlingham	\$33,332
	Wathaurong Aboriginal Co-operative	Wathaurong Aboriginal Co-operative led this program to address issues of Aboriginal youth disengagement by creating an environment that is safe for youth to gather, learn and yarn with each other. Regular sessions were held (26 per annum in Geelong and 13 per annum in Colac) and involved a wide range of speakers and presenters to empower and inspire youth. The sessions promoted cultural connection, highlighted education opportunities and local initiatives for Aboriginal youth.	Geelong and Colac	\$36,240
	Winda Mara Aboriginal Cooperative	Winda Mara Aboriginal Cooperative delivered this project to enhance participant's cultural understanding, wellbeing and personal safety development by providing 120 hours each year for two years of cultural, wellbeing and safety activities. Activities were delivered in two and three hour sessions with 40 hours dedicated to each key area including cultural enhancement, wellbeing, personal safety (includes alcohol and other drug use) and understanding family history. The project engaged a range of stakeholders including Victoria Police, Local Aboriginal Networks, Koori Engagement Support Workers, Koori Youth Justice Workers and leveraged other services offered by the organisation	Heywood and Hamilton	\$33,332
	Dhauwurd Wurrung Elderly and Community Health	Dhauwurd Wurrung Youth Program delivered three, 2-hour sessions each week for two years for Aboriginal young people. The content of the sessions developed in partnership with Aboriginal youth identified through local Police and the Aboriginal Community Justice Panels (ACJP) as suitable participants. The sessions included	Portland	\$33,332

Program	Organisation name	Project description	Location	Funding
		cultural strengthening, health and wellbeing, rights and responsibilities and leadership activities.		
	Gunditjmara Aboriginal Cooperative	Gunditjmara Youth Program engaged young people residing in and around the Warrnambool area in a series of activities including cultural heritage workshops, managing bullying, road and bike safety (facilitated by Victoria Police). Speakers provided information regarding alcohol and other drugs, meaningful and respectful relationships and physical health. The project delivered a three day camp each year for up to 25 youth which included information sessions along with fun recreational and cultural activities. In addition, participants contributed to the development of a positive parenting calendar to provide education regarding positive role models and healthy relationships with a focus on strong families	Warrnambool	\$33,332

7.7. Informant interviews key findings – Barwon South West

A range of key informant interviews were conducted to gather views and perceptions on justice matters affecting Aboriginal people in the region. Interviews have been conducted with representatives of ACCOs and other community organisations, and government agencies delivering services in the justice sector. We have also spoken with those people who are implementing the AJA in Barwon South West, specifically members of the RAJAC and LAJACs.

Below we describe several initiatives that are seen as providing benefit to the region and that are having a positive impact on reducing contact with the criminal justice system.

7.7.1. The importance of relationships and leadership

Although not a place-based initiative *per se*, the AJA3 itself is held as a model of effective practice. It has provided the framework, specifically through the RAJAC and LAJACs around which people have been able to coalesce, to build relationships and strengthen trust.

In discussions with key informants we heard there are low numbers of Aboriginal young people in the justice system and this has been the case consistently over the last several years. Informants have attributed this to the strong and long-lasting relationships between community and justice services (principally police) that have been built over the years through the proactive support of Aboriginal leaders. We have heard, and witnessed first-hand, the strength of the leadership right across Barwon South West.

There is a core group of young and older leaders who have been actively advocating for the community over a number of years. Importantly, there has been an acknowledgement that continued strong leadership requires opportunities for younger people with a commitment to, and aspirations for the community to move into leadership roles. A number of younger individuals have stepped into these roles including taking on the Chairing role of the RAJAC and supporting the RAJAC and LAJAC operation. A Police Officer noted;

[there are] strong young leaders in the Aboriginal community that just step up and [have] really brought their community along.

The community leaders show a great deal of capacity to perform in these roles. They are confident and committed to doing what it takes to make the region strong and to eliminate continuing disadvantage in their communities. As one leader noted;

We're invested in our community. If you have strong individuals, you have strong families (RAJAC Member).

They also acknowledge that their role is not only to hold government agencies and service delivery organisations to account, but also to hold each other and the ACCOs in the region to account;

... we work with government workers to get them to understand their Cultural Load and Black fellas holding each other to account, not just government (RAJAC Member).

Having strong leaders represented in forums that bring Aboriginal people and government agencies together has reduced power imbalances that tend to typify such fora. The nature and extent of the power imbalance between the parties often makes it difficult for equitable negotiations to take place, both in terms of process and outcomes. At the leadership level, the relationships are considered more equitable. To a large extent, this has filtered through the community and lower ranks of agencies more generally.

Interviews consistently referred to the very strong relationships that have evolved between Aboriginal community and government service providers, especially Victoria Police and Sheriffs.

...we have meaningful relationships with government agencies; it is all about strong partnerships, which we count as relationships (RAJAC Member)

Historically, the relationship between justice agencies, and Police in particular, and the Aboriginal community has been tenuous at best. The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) noted the circumstances which have led to “Aboriginal people regard[ing] police as enemies”. The liaison roles noted above have helped to foster improved relationships and built strong communication channels between the justice agencies and the local Aboriginal community in the region.

The importance of achieving better relationships and more open dialogue is one area that received some attention in the RCIADIC. A number of recommendations referred to communications including the following two which highlight the importance of *appropriate* communication:

Rec. 217 Consideration should be given to the creation of specific liaison officer positions employing Aboriginal people to facilitate communications between the court and the community

Rec. 247 Effective communication between non-Aboriginal health professionals and patients in mainstream services is essential for the successful management of the patients' health problems. Non-Aboriginal staff should receive special training to sensitise them to the communication barriers most likely to interfere with the optimal health professional/patient relationship.

The region is now well-served with Aboriginal personnel within government in community liaison type roles. For example, Sheriff's officers are supported by SALOs, the Aboriginal Community Liaison Officer provides a conduit to the Aboriginal community and police, young offenders are supported by Koori Youth justice Workers, prisoners are offered support from the Aboriginal Wellbeing Officers and courts are supported by a Koori Court Officer. The Local Justice Worker role has been a direct result of the AJA and funded through the grants offered by the KJU..

To improve the historically poor relationship all justice agencies have implemented a range of strategies and protocols to remove individual and institutional discriminatory practices and

behaviours and to promote positive partnerships with Aboriginal members of the community. Several community representatives noted that the introduction of the Koori Family Violence Police Protocol was a good demonstration of the types of outcomes that can be achieved through strong and trusting partnerships between Police and mainstream family violence organisations and the local Aboriginal communities.

Across Barwon South West, police are involved in cultural awareness training courses for new members where Aboriginal Elders provide their insights and their experiences of culture. Police officers are invited to join the Elders on-country and have reported getting so much from the experience that their attitudes and behaviours have changed to reflect what they have learned. Relationships have been given a particularly strong boost from the commitment to, and engagement with culturally appropriate policing from the very top of the Police regional division. More than that, junior officers are responding to cultural awareness training because of the benefit it gives them in the role and not simply because it is a mandatory requirement. There was a strong desire for Police and community to work together to improve Aboriginal justice outcomes.

The efforts of Police to develop their own cultural capacity has occurred over the entire AJA period, not just through AJA3. A 2011 review conducted by the Office of Police Integrity of the Victoria Police Aboriginal Strategic Plan 2003-2008 included the following quote from an Aboriginal Community Justice Panel member highlighting how their communications and liaison with police has improved relationships:

The Warrnambool Aboriginal Community Justice Panel has been in operation for approximately 15 years. The relationship between the Aboriginal people in the Warrnambool area and the local police has improved considerably. There has definitely been a more conscious effort to work together on a number of issues. The reason why this relationship has worked is due to a number of contributing factors: the Aboriginal Community Justice Panel members are well-respected members of the community; they introduce themselves to new members at the police stations; they invite police to cultural functions; and they have 'an open door' to police members. One other factor that strengthens the relationship between the Aboriginal Community Justice Panel and the police is the role both the Police Aboriginal Liaison Officer and the Aboriginal Community Liaison Officer play in the liaison process. (Office of Police Integrity 2011: 22)

Cultural awareness training is also embedded in other justice agencies. Correctional officers and other judicial officers who came into contact with Aboriginal offenders are encouraged to participate in cultural awareness training. This training is regionally specific encompassing elements of local Aboriginal culture and history and explores the social factors which have contributed to the disadvantaged position of many Aboriginal people in the region.

There is a view that the police and other justice related services are becoming “smarter and more insightful” in their understanding of the complexity of Aboriginal situations. Several senior government officers commented their involvement in the RAJAC meant they were “comfortable” in going directly to Aboriginal leaders to discuss issues of joint concern. The same view was held by Aboriginal RAJAC members. Representatives from both community organisations and government agencies expressed recognition of the role that the RAJAC has in providing a platform for community to work with the government on issues on a broader perspective than just justice issues.

Staff spoke of critical portfolio cross overs between, for example, family and domestic violence, child protection and housing. One example was shared with us to demonstrate the benefits that can be achieved through agencies working together and with Aboriginal community.

Making a difference

One Sunday afternoon, an Aboriginal community member got in touch with the Regional Director of Housing about her nephew, a 10 year old boy who was constantly getting into trouble with police and finding himself in potentially dangerous situations. Rather than remove the child, the Regional Director offered her sister access to a house. This kept the boy out of residential care and helped him to settle down, attend school regularly and get off the police radar. Since then child protection involvement has gone quiet.

Innovative solution – the Regional Director DHHS has also requested his staff stop raising debts from tenants fleeing domestic violence. This is now a policy within that regional office.

The strong and close networks that have been established between Aboriginal leaders and justice service providers are built on trust. This enables all parties to be far more adaptable and responsive to issues where earlier responses may have been prescriptive or bureaucratic. This has been particularly evident where the Local Justice Worker is concerned.

7.7.2. The Justice Bus (Portland)

The Mobile Justice Service Centre, better known as the ‘Justice Bus’ travels the state stopping in various towns where workers can engage with community members to provide advice and justice services to the community. Discussions between the Sheriff’s office and the RAJAC were instrumental in bringing the bus to the region.

Unpaid fines are one of the reasons Aboriginal people are ending up in court and receiving CCOs in Barwon South West. Officers on the Justice Bus provide a range of services including delivery of a program that identifies number plates and therefore identifies whether people might have an unpaid fine. With staff from the Sheriff’s office on hand, they are able to discuss options with the person owing the fine to either make a payment or sign up for community work.

The office of Birth, Deaths and Marriages are also part of the bus. As noted previously, there have been issues in the region where people have not been able to obtain a driving licence because they do not have a birth certificate. Generally, people would have to travel to Melbourne to apply for a birth certificate, which can be challenging for many. People, especially women who are caring for children, find it difficult to use public transport over such a distance and struggle with the costs involved. The justice bus operates as an outreach service eliminating the costs and time needed to travel. The service aims to assist people obtain their birth certificates which then enables them to apply for a licence. In doing so, it has decreased the number of unlicensed drivers in the region.

This is a good example of the provision of a service that has responded to the local context and takes the service to the area of need. It also provides an opportunity for multiple justice issues to be addressed at the same time.

7.7.3. Integration of Culture

The integration of Aboriginal culture into policy design and program delivery in the Barwon South West region, driven by local community leaders, has clearly resulted in effective and strategic partnerships being formed between the community and justice sector agencies. Just as government has a pivotal part to play in building the capacity of Aboriginal communities, and the leaders within those communities are crucial in advocating for real change, the same applies to Aboriginal communities being able to play a key role in building the cultural competencies of non-Aboriginal decision-makers, policy advisors and operational staff in the justice sector. This is exactly what is happening in the Barwon South West region.

Throughout the consultation with stakeholders, it was evident that there is ongoing and robust dialogue between government and non-government agencies and Aboriginal leaders in relation to how best to tackle issues where Aboriginal people find themselves involved in the justice system. People spoke of the consistent Aboriginal leadership at local, regional and state levels from Aboriginal community representatives representing key locations in the region. The effect that this inter-generational leadership has had on strengthening trust between Aboriginal and non-Aboriginal stakeholders in the justice arena was a common element in all of the interviews we conducted. Stronger relationships have created a way of working that enables agencies to develop more innovative solutions to problems facing Aboriginal clients and deliver them in way that is far more flexible and responsive.

The region is home to significant Aboriginal cultural heritage sites and places of high cultural significance. The sites are continually being used to not only help Aboriginal people to reconnect to their culture and their land but to also build understanding of non-Aboriginal staff of the importance of culture to a large proportion of their client base. The approach to growing cultural competencies in the justice sector is occurring at all levels from senior executives to officers providing services on the ground. In relation to what makes programs effective, several CCS Officers spoke of the importance of culture and how they are using Aboriginal art and language to communicate with their case management clients. They have found that some young people do not identify strongly with their Aboriginal culture. As Auntie Pam Pederson stated when commenting on the Melbourne County Court, “a lot of offenders who come before the courts have lost their connection with community, a lot of their problems are about that lack of identity and self-understanding”¹⁶. Where offenders do not have a strong connection to country the case managers will work with their clients to help them to reconnect.

We have noted previously that a significant proportion of the Aboriginal population in and around Geelong has migrated into the region and is therefore not on country. This can sometimes result in a reluctance by these ‘off-country’ people to attend ACCOs to complete the conditions of their CCOs. In those cases, they may be directed to a mainstream service provider. If that is the case, it becomes crucial that those service providers are able to deliver the services in a culturally appropriate way. This is where cultural awareness training is essential.

*A lot are reluctant to go to the co-ops because ‘I’m not in the family, why will they help me?’
(Aboriginal Wellbeing Officer)*

ACCOs only help their own – you have to have the right last name (Aboriginal prisoner)

The Geelong case management team is adopting a more flexible approach and will now leave the office and supervise clients at Wathaurong. They are also using case conferences with all of the services involved akin to the Case Management Review Meetings approach, to be more responsive to the needs of offenders. These approaches are delivering higher successful completions of CCOs. They

¹⁶ from <https://www.liv.asn.au/Staying-Informed/LIJ/LIJ/October-2016/Koori-Court-no-soft-option>

also noted increased success when Advanced Case Managers are able to dedicate more time to the offenders they are managing. At the time of conducting this evaluation there was only one Aboriginal Case Manager in the Geelong CCS team. Given that the City of Geelong has the largest Aboriginal population outside of Melbourne it would be beneficial to increase the number of Aboriginal employees to help break down ongoing historical barriers between offenders and those that are managing them.

Vignette of an Advanced Case Manager

An Advanced Case Manager was managing an Aboriginal woman with an intellectual disability and mental health issues and a whole gamut of other challenges. He's worked out the only way he can engage her is through meeting with her at the mental health service that she goes to at 11 o'clock every Tuesday. He goes in casual clothes. He doesn't bring any files or pens and they just have a conversation. Because he's got a smaller caseload so that he can do his role, he's doing really well in getting out of the office and being creative. That's the way he needed to work with her otherwise we weren't going to get any results. She would have ended back at court without it. (CCS informant)

7.7.4. The Fishing for Answers program

The *Fishing for Answers* program was a behaviour change program for Aboriginal men in the Geelong region that combined cultural activities and psychological therapy. The men involved were on CCOs and recruited via the Wathaurong Justice program.

An Aboriginal Local Justice Worker employed by Wathaurong Aboriginal Co-op worked with a psychologist to provide a program aimed at assisting Aboriginal men to deal with their anger management issues and build their communication skills. Each participant had a Mental Health Plan which gave them access to psychological services. The program, delivered through individual and group therapy sessions, focused on the triggers for anger and identified strategies for behaviour change.

A key element of the program was the location in which it was delivered. Usually the Local Justice Worker would take a group of men each week to a property at the Wurdi Youang which is a significant cultural place for the Wathaurong people. The men would be working on their community work order projects and while they were out working "the psychologist would talk to them about what was going on for them". The approach was laid back and very informal encouraging the men to open up about things that were troubling them. This 'yarning style' provided a useful way to engage the men in the first instance and often led to more traditional one-on-one counselling sessions. The program out at Wurdi Youang also included some group anger management sessions on the riverbank while fishing. A CCS Officer at Geelong Justice Centre stated that a high proportion of men who undertook this program successfully completed their CCOs.

The approach was seen to be highly effective because the psychological/counselling sessions occurred in a non-clinical environment.

Unfortunately, the Local Justice Worker left the role and the program did not receive funding to enable it to continue. We understand that the success of the earlier program has assisted in Wathaurong receiving additional funding for a psychiatrist and additional alcohol and other drug workers. As a result, a new program is expected to be launched in the near future. The current Local Justice Worker is also advocating for a similar women's program at the property which will focus on traditional basket weaving and be called *Weaving for Answers* (CCS Officer). This is seen as a welcome addition because there are no programs in the region specific to female offenders.

7.7.5. A region in two parts

The Barwon South West region might best be considered as two quite distinct sub-regions. The east centres on the City of Geelong while the west centres on the Warrnambool-Portland-Heywood areas. Geelong is an urban centre with a large Aboriginal population, many of whom are from other places in Victoria and even Australia. Outside of Geelong the towns are perhaps better described as rural and have far fewer people living in the towns and surrounding areas. The stories we heard from these more rural areas was of a strong community with an equally strong attachment to their culture and history. In Geelong, the stories were less focused on culture and, to some extent, less focused on 'community'. Service provision appears to rely far more on mainstream services that may or may not be delivered in a culturally appropriate way. Where services were delivered by an Aboriginal organisation there might be reluctance for Aboriginal offenders to make use of the services because they weren't 'my mob'. There were also some offenders who were on country but preferred not to use the service because they feared other family members finding out.

The positive stories we did hear were largely of services being delivered in areas outside of Geelong where 'place' seemed to be a more understood feature. This is an important finding for any place-based initiative as it points to limiting the boundaries of place to a geographical area that has consistencies within the boundaries. Barwon South West is too large and too diverse an area to be useful as a 'place' and might be better considered as two or more regions.

8. Loddon Mallee Region

8.1. The Place – About the Loddon Mallee Region

The Loddon Mallee region lies to the north-west of Melbourne and spans just under 59,000 square kilometres, more than a quarter of the state, the largest of the four regions in this study. The region extends from the Macedon Ranges in the south to Mildura in the north incorporating the ten local government areas of Buloke, Campaspe, Central Goldfields, Gannawarra, Greater Bendigo, Loddon, Macedon Ranges, Mildura, Mt Alexander and Swan Hill.



The total resident population of the Loddon Mallee region at the last census (2016) was 324,103, with Aboriginal people accounting for about 2.1 per cent of this population, the highest of all the regions and twice the Victorian average. The actual number of Aboriginal people is likely to be higher given the high number (24,139 or about 7.5% of the population) who did not nominate their indigenous status on the census forms.

Table 8-1: Population of local government areas in the Loddon Mallee Region (ABS Census 2016)

LGA	Total	Aboriginal	Non-Aboriginal	% Aboriginal
Buloke (S)	6,200	63	6,137	1.0%
Campaspe (S)	37,063	878	36,185	2.4%
Central Goldfields (S)	12,993	193	12,800	1.5%
Gannawarra (S)	10,544	195	10,349	1.8%
Greater Bendigo (C)	110,471	1,843	108,628	1.7%
Loddon (S)	7,505	111	7,394	1.5%
Macedon Ranges (S)	46,102	300	45,802	0.7%
Mildura (RC)	53,876	2,064	51,812	3.8%
Mount Alexander (S)	18,757	209	18,548	1.1%
Swan Hill (RC)	20,592	837	19,755	4.1%
Total	324,103	6,693	317,410	2.1%

The Mildura Rural City Council has the highest proportion of Aboriginal people of all LGAs across the region at 3.8 per cent. Macedon Ranges Shire has the lowest proportion of Aboriginal people at 0.7 per cent.

From 2006, the total population of the Loddon Mallee region has increased by 10.4 per cent (compared to 20.2 per cent across Victoria) with the Aboriginal population in the region increasing by 45.4 per cent (2,088 persons), slightly less than the 58.5 per cent increase for the whole of Victoria.

Like other regions across Victoria the median age of Loddon Mallee Aboriginal people is roughly half that of the non-Aboriginal population (Table 8-2). The distribution of the population by age and gender is shown in Figure 8-1 and shows a structure less skewed to a young profile in comparison to other regions. Just over a third of the Loddon Mallee Aboriginal population is aged under 25 years with similar proportions aged between 35 and 50 years and over 50 years.

Table 8-2: Median age of Loddon Mallee population

Region	Median Age	
	Aboriginal Population	Non-Aboriginal Population
Bendigo (SA4)	22	42
Murray River-Swan Hill (SA3)	21	46
Mildura (SA3)	20	41

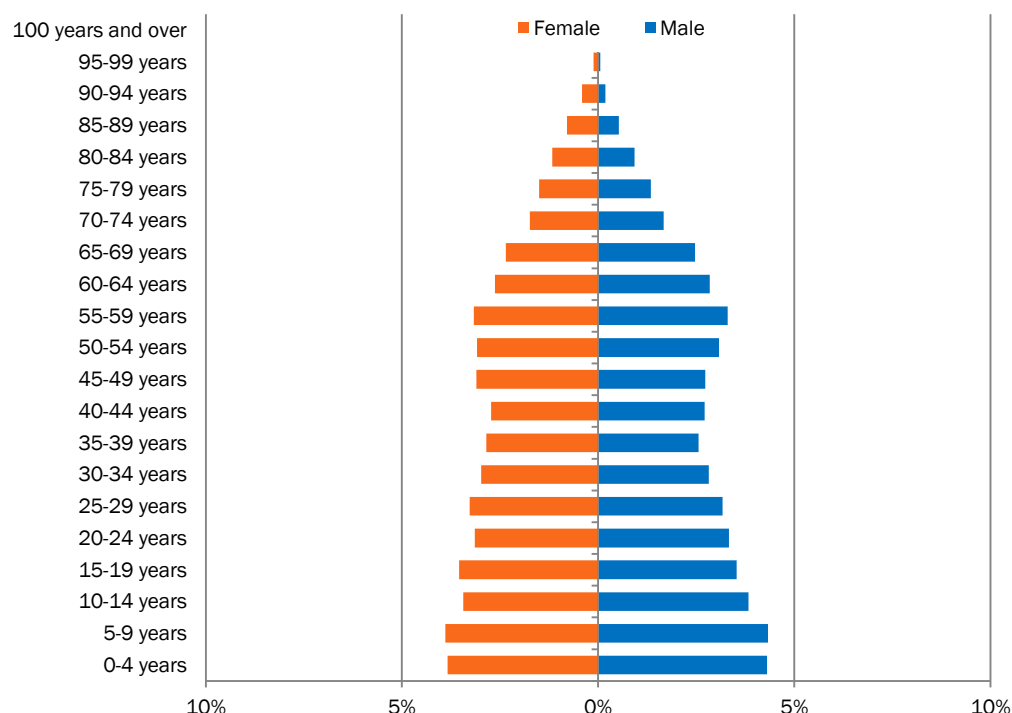


Figure 8-1: Age distribution of Aboriginal population in the Loddon Mallee region

Cultural diversity is otherwise low, with 4.9 per cent of the population born in a non-English speaking country and 4.8 per cent speaking a language other than English at home.

Educational attainment is lower in the Loddon Mallee region than for the state. The proportion of Aboriginal people aged 15 years and over who have completed year 12 at the last census was 29 per cent, somewhat lower than the state total of 36 per cent. About 3.7 per cent of Aboriginal people in Loddon Mallee aged 15 or older have a Bachelor's degree (compared to 6.2 per cent of the same cohort across Victoria).

The Loddon Mallee population as a whole has higher than average unemployment and higher than average proportions of low income families and individuals. A proportion of the Aboriginal population is employed in what we have termed the "Aboriginal Services Network"; that is, Aboriginal controlled organisations or government liaison type roles. While a fair number of Aboriginal workers are employed in this sector there are limited opportunities in these positions (i.e. no career path), and recruitment and retention is an issue. Very few Aboriginal people are in mainstream employment even though attempts have been made in the past to encourage Aboriginal people into private sector or

mainstream employment. Key economic drivers in the region are tourism and agriculture but few Aboriginal people are employed or are key landholders (farming and horticulture).

A statistical profile of the Loddon Mallee region prepared by the Department of Health paints a picture of disadvantage. The proportion of low income families with children, and of people with food insecurity, is the highest in the state. The region has the highest rate of obesity and cancer. Life expectancy is lowest in the state for females and second lowest for males. Emergency department presentations per 1,000 population are higher than average, while GP attendances are below average. The proportion of registered mental health clients and alcohol and other drug clients per 1,000 residents is second highest in the state.¹⁷ Up to date Aboriginal-specific health data is not available.

The region has also seen an increasing refugee population moving into the area which is placing greater strain on Aboriginal service organisations, who have welcomed these newcomers to the area and have opened their services to them.

8.2. Aboriginal people in Loddon Mallee

Traditional owners include Dja Dja Wurrung, Taungurung, Latji Latji, Tati Tati, Mutti Mutti, Wadi Wadi, Wemba Wemba and Barapa Barapa. Many descendants of NSW-based Paakantji (Barkindji) reside in the Mildura area. There are high levels of in- and out-migration to Loddon Mallee resulting in a high proportion of Aboriginal people resident in the region who are not on country.

The **Dja Dja Wurrung** Clans Aboriginal Corporation (on behalf of the Dja Dja Wurrung traditional owner group) and the Victorian Government entered into a 'Recognition and Settlement Agreement' which formally recognises the Dja Dja Wurrung people as the traditional owners for part of Central Victoria. The agreement area extends from north of the Great Dividing Range near Daylesford and includes part or all of the catchments of the Richardson, Avon, Avoca, Loddon and Campaspe Rivers. It includes, inter alia, Crown land in the City of Greater Bendigo, Lake Boort and part of Lake Buloke.

Taungurung Country encompasses the area between the upper reaches of the Goulburn River and its tributaries north of the Dividing Range, from the Campaspe River to Kilmore in the West, eastwards to Mount Beauty. Benalla in the north and south to the top of the Great Dividing Range.

The **Latji Latji** Nation is centred around Mildura and includes dramatic geographical features at Lindsay Walpolla Island and Hattah Lakes. The Latji Latji has close ancestral connections to its neighbours the Mutti Mutti and Ngarrindjeri – particularly through trade and marriage¹⁸.

The **Mutti Mutti** Nation lies at the heart of southern Murray Basin and includes the centres of Balranald, Robinvale and Euston. Mutti Mutti Country features mallee scrub and lakes such as Lake Benenee and is characterised by the Murrumbidgee River which flows into the Murray River just south of Balranald. Mutti Mutti traditional territory also extends to the south-western end of the Lake Mungo and Wilandra Lakes system. This is an ancient lake system forming an ancestral and cultural domain that is World Heritage Listed and is a major National Park.

The Wadi Wadi, Wemba Wemba and Barapa Barapa First Nations Aboriginal Corporation submitted an application for Registered Aboriginal Party over an area extending from Echuca to north of Nyah West and extending east to Sea Lake and Birchip. The area includes the towns of Kerang and Wycheproof. The application was declined in March 2017.

¹⁷ Statistical profile of Loddon Mallee Region, 5 Dec 2014 <https://www2.health.vic.gov.au>

¹⁸ Sourced from <http://www.mldrin.org.au/membership/latji-latji-nation/>

8.3. Justice issues in Loddon Mallee

The region is faced with a broad range of justice issues related to high levels of alcohol and other drug use (with ice use stated as an acute problem across the region), young people becoming disengaged from school, a lack of housing and a lack of mental health services, and in some areas high levels of community conflict.

In 2013, a campaign called *Project ICE* commenced in Mildura. At that time there was concern amongst health, welfare and justice agencies when ‘ice’ became, after cannabis, the second most common illicit drug in Mildura. *Project ICE* was a collaborative effort to promote issues around its prevalence and effects, with a high-profile awareness campaign. An evaluation, completed in 2014, found the campaign had been successful in raising awareness across the community. Perhaps more importantly, the project was found to have “provided an avenue of building stronger networks, social bonds and strong social cohesion” (Harley, Forbes and Cordoma, 2014, p. 27).

Other programs that have been delivered in the region and aimed at addressing justice issues include the *Family and Community Violence Prevention Project*, a multi-faceted approach to addressing community safety. The project, delivered by Mallee District Aboriginal Services (MDAS), principally in Mildura, Swan Hill, Robinvale and Kerang,, aimed to:

- reduce family violence
- break the cycle and reduce intergenerational impacts of family violence
- increase community safety
- reduce the need for child protection and family violence interventions.

Activities comprised:

- a community wide media campaign
- Sisters Day Out Workshops for all Aboriginal women
- Dilly Bag Women’s Behavioural Change Programs for small groups of Aboriginal women;
- Dardi Munwurro Male Youth Behaviour Change Programs
- Early Years Cultural Safety Workshops for young parents
- a cultural safety training program.

An evaluation of this project was completed by Clear Horizon Consulting (2016) and found “that the project had reached the right people in culturally competent ways that were an adequate fit with existing community resources and services. The cultural competence of the project design is evident in the use of a community-wide (and individual community-specific) approach to awareness-raising that recognised that family violence is everyone’s business, across families, kinship networks and communities”.

Actions have been taken in response to the learnings identified in the report, namely that:.

- Sisters Day Out, Dilly Bag and the community media campaign stood out as models that could be applied in other organisations.
- The project steering group was keen to continue to build local capacity in each Mallee community and rely less on external input, so that action is more attuned to local needs and interests and better able to build cultural strength and pride, as well as being more cost-effective.

- The project steering group learned of particular gaps in the family violence response in Swan Hill and Kerang, and that there was a need for MDAS to become more ‘family violence capable’ across all services.

Family violence is another major justice issue in Loddon Mallee, and specifically in Mildura and Swan Hill. These two towns have some of the highest rates of family violence in Victoria – 40 per cent above the State average. On the basis of state-wide averages, these rates are likely to be far higher in Aboriginal communities.

8.3.1. Police data

Data referred to below is from the Crime Statistics Agency Aboriginal Justice Indicators – Victoria Police dashboard and covers the period 1 January 2012 to 31 December 2016 unless otherwise stated.

As is the case in each of the four regions, the highest rate of offending by Aboriginal people in the Loddon Mallee region relates to ‘property and deceptions’ offences although this type of offending has been relatively stable over the past five years. The next most prevalent offence type is those ‘against justice procedures’ including breaches of orders where there has been a doubling of rate of offending since 2012 (71 per 1,000 in 2012 to 144.9 per 1,000 in 2016). Crimes against the person are the next most prevalent offence type and this shows a slight increase between 2012 and 2016. This includes assault, sexual offences, stalking, harassment and threatening behaviour, and homicide (Refer Figure 8-2).

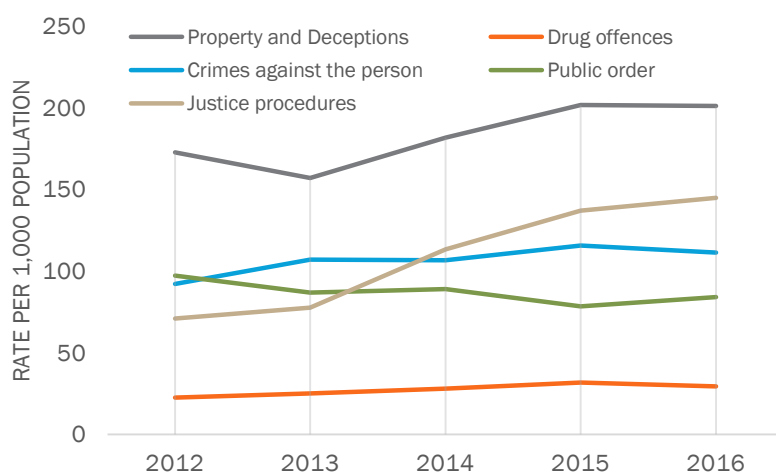


Figure 8-2: Offence type trends Loddon Mallee region (2012-2016)

Interestingly and given the regularity that we heard that the major justice problem in the region is illicit drug use, the rate of drug offences in the Loddon Mallee region is low in comparison to other offending types and is comparable to the other regions in this study. This may simply reflect that drug users are committing and being charged with offences under the property and deceptions classification, which includes theft, property damage and burglary/break and enter, rather than with drug offences. Superintendent Naylor noted during a presentation to an Australian Institute of Criminology workshop on substance use in Indigenous communities in urban, rural and remote areas that while there were “relatively few offences which occur as a direct result of drug use, in the experience of police, drug use is often an underlying issue contributing to offending behaviours and social problems” (Naylor 2008).

In 2016, family violence incidents occurred at a rate of 82.4 per 1,000 population. This is significantly higher than the other three regions in this study – nearly three times that of the Southern Metropolitan Region and close to double that of Barwon South West and the Northern Metropolitan region. The Gippsland region is the only region in the state recording a higher rate of family violence

offending (95.1 per 1,000 population). The rate of family violence offences in Loddon Mallee has increased from 77.8 per 1,000 population in 2012. In absolute numbers there has been an increase from 495 family violence offences in 2012 to 545 offences in 2016.

Police cautioning of first time young offenders in Loddon Mallee has fluctuated over the period 2012 and 2016 but is showing an overall increasing trend. In 2016, about two-thirds of first time young offenders received a caution by police.

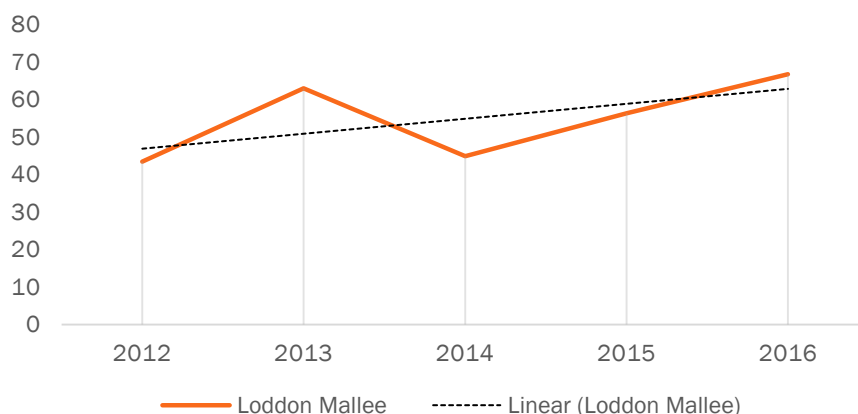


Figure 8-3: Proportion of first time young offenders who received a caution by police, by year

8.3.2. Community corrections (adults)

According to a CCS interviewee, Community Corrections are managing around 1,200 offenders of which about 17 per cent are Aboriginal (as at June 2017). Over the period of AJA3 there has been an upward trend in both Aboriginal and non-Aboriginal offenders on community orders, which has been attributed to legislative and other justice reforms. The number of Aboriginal male offenders on CCOs has increased by around 85 per cent over the past five years while the number of female offenders has increased at a much lower rate of around 20 per cent.

Almost three-quarters of Aboriginal people on CCOs have at least one CCO treatment condition relating to alcohol or other drugs. There has also been an increase in the proportion of offenders with a condition related to treatment for mental ill-health – from 40 per cent in 2012 to 55 per cent in 2017.

Since 2012, there has been a small decrease in the proportion of offenders on CCOs aged under 25. Other age groups have remained relatively stable over the same period. Almost half (45.7%) of orders are for a duration of six months or less with the majority of orders being fine orders (44.9%).

Completion rates for orders of all types are currently sitting at around 64 per cent (cf. 57 per cent for all regions). The main reason for failing to complete an order relates to breach of conditions, particularly for offenders who have been unsupervised.

Data for 2016-17 show that assault (28.5%) and driving offences (21.2%) formed the largest proportion of primary offences for which CCOs were issued. This is consistent with all other regions. Other property offences were the next most common 'most serious offence' type.

8.3.3. Youth justice community orders

The Youth Justice Service presents data to the AJF at each forum. According to the report delivered to AJF49 in October 2017 and for the period 30 June 2016 to 30 June 2017, the average daily number of young people on youth justice community orders in Loddon Mallee was as shown in the table below.

Table 8-3: Average daily number of young people on youth justice community orders Loddon Mallee region, by gender (2015-17)

Year	Aboriginal		Non-Aboriginal		Not known	Grand Total
	Female	Male	Female	Male		
2016-17	3.7	17.6	2.5	29.0	0.4	53.2
2015-16 ¹⁹	3.4	17.9	3.9	21.3	26.2	30.1

The table below shows the age distribution of Aboriginal young people in Loddon Mallee who were on youth justice community orders in the 2016-17 period. Female offenders on orders are more likely to be aged between 15 and 17 years. Male offenders on orders are also mostly aged 15 and 17 years.

Table 8-4: Average daily number of young Aboriginal people on youth justice community orders Loddon Mallee, by gender and age (2016-17)

Region	Female			Male				Total
	12-14	15-17	18+	10-11	12-14	15-17	18+	
LM	1.2	2.2	0.0	0.0	2.5	10.7	4.7	21.3

8.4. Major places in Loddon Mallee

There is considerable diversity in the region with highly urbanised and highly populated centres as well as small regional and rural townships with limited to no service availability. The main population centres in the region are Bendigo and Mildura with smaller populations located in the towns of Castlemaine, Echuca, Kerang and Swan Hill.

8.4.1. Bendigo

Bendigo is a service and infrastructure centre for the north-central region and is Victoria's fourth largest city. Data provided by Regional Development Victoria notes that the City of Bendigo had approximately 7,589 businesses and a workforce of around 42,000 people. In the five year period 2009-2014, there was strong employment growth in construction; arts and recreation services; transport, postal and warehousing; healthcare and social assistance; professional services and financial and insurance services²⁰.

The VicHealth Indicators Survey (2015) found perceptions of safety very high. The average rating of respondents to the survey reported an average resilience score of 6.6 out of 8, slightly higher than the whole of Victoria average of 6.4. Three quarters of respondents thought that people in their neighbourhood were willing to help each other and a similar proportion considered people in their neighbourhood can be trusted.

The **Bendigo and District Aboriginal Co-operative**, located in Bendigo, offers a range of health and social welfare services as well as a number of programs to Aboriginal people in the region. Programs include Aboriginal Family Decision Making, Indigenous Tenants at Risk, and Aboriginal Women's and Children's Case Management. The Co-operative also provides services to Aboriginal youth through programs such as the Local Justice and Youth Justice program, Koori placement and support, Young Wellbeing program, and male and female youth groups.

¹⁹ Data sourced from Youth Justice Data Report presented to AJF46, Ballarat

²⁰ Sourced from <http://www.rdv.vic.gov.au/victorian-regions/greater-bendigo>

Njernda Aboriginal Cooperative, based in Echuca, operates in the Loddon sub-region providing a range of social, health and healing services. Njernda Aboriginal Corporation has a partnership with the Aboriginal Health Partnership Group which includes:

- Echuca Regional Health
- Bendigo Health
- Shire of Campaspe
- Primary Care Partnership
- Loddon Mallee Murray Medicare Local
- St Lukes Anglicare
- Murray Shire Council
- YMCA
- Campaspe Cohuna Local Learning and Employment Network

The **Baroona Healing Centre** makes use of a farm house to assist in the reduction of alcohol and other drug problems amongst young Aboriginal people aged between 14 – 22 in the Echuca and surrounding areas. Referrals to Baroona can be made by police and courts as well as self-referral or referral from other agencies. The centre offers a 16-week Residential Journey to Heal the Spirit. The stay is then followed by a Post Support Program over a time decided by staff and the young person themselves.

As a large regional service centre Bendigo hosts the regional offices of most government agencies, including those with a justice focus. A Community Corrections Services office is located within the Bendigo Justice Service Centre. The city has a Magistrates' Court and County Court. There is no Koori Court in the city.

8.4.2. Mildura

Mildura is the largest city in north west Victoria and strategically vital to what is an important agricultural area. It is located on the Murray River on the border of New South Wales and South Australia, about 550 kilometres north-west of Melbourne and 400 kilometres north-east of Adelaide.

The city is a significant service centre for north west Victoria as well as parts of South Australia and New South Wales, delivering transport and warehousing services, professional services, health services and tertiary education. Mildura produces premium agricultural and aquaculture products for domestic and international markets. Food and beverage manufacturing are among Mildura's major exports. It is also a base for regional industry. There are around 5,046 businesses in the city and a workforce of approximately 20,800 people.

In recent years Mildura has been figuring prominently in the press as the incidence of crime increases. In early 2017, the Crime Statistics Agency released data showing the offence rate (per 100,000 population) increased by 8.1 per cent, more than three times the increase experienced by the state as a whole. The increasing crime rate prompted the allocation of nearly \$200,000 from the Youth Crime Prevention grants program for the *Mildura Youth Commitment Program*. The program provides intensive, wrap-around case management support for 10 at-risk young people aged between 10 and 14 years and their families. Young people are referred on a voluntary basis and include both Aboriginal and non-Aboriginal youth who have been identified as serious and recidivist offenders, to create a pathway away from offending.

The city and broader region is represented by a strong ACCO, the **Mallee and District Aboriginal Services (MDAS)**. MDAS provides a wide range of services to meet the needs of the local Aboriginal

communities in cross border locations along the Murray River in Victoria and into New South Wales. Services cover health, family services, housing, aged care, alcohol and other drug services, training, community development, rehabilitation and justice. Programs are delivered in Mildura, Swan Hill and Kerang.

Some of the justice specific services offered by MDAS include:

- Local Justice Worker program (formerly Koori Offender Support and Mentoring Program)
- Koori Youth Night Patrol
- Women On Bail
- Youth Justice
- Koori Women's Diversion program.

A medical and dental clinic in Robinvale is supported by **Robinvale Aboriginal Co-operative**.

In responding to the high rate of family violence in Mildura, the **Mallee Domestic Violence Services** provides assistance to women and women with children who are in crisis as a result of domestic violence including 24-hour emergency crisis support, refuge accommodation, outreach services and support.

The **Loddon Mallee Aboriginal Reference Group** (LMARG) is an Aboriginal forum comprising member ACCOs in the Loddon Mallee Region. LMARG seeks to improve the health and social outcomes of Aboriginal communities in the region through targeted services and through the hosting of regular regional forums involving representatives from State and Federal government departments and other external stakeholders. Through these meetings LMARG provides feedback on regional Indigenous issues in an interdepartmental setting. It also takes on information and responds to policy consultations in a streamlined fashion. LMARG members include: Bendigo and District Aboriginal Cooperative; Mallee District Aboriginal Services in Mildura, Swan Hill and Kerang; Mungabareena Aboriginal Corporation in Wodonga; Murray Valley Aboriginal Cooperative in Robinvale; and Njernda Aboriginal Corporation in Echuca.

During interviews LMARG was held as a good example of a community led partnership which directs its attention to a range of social and health issues experienced by Aboriginal people in the Loddon Mallee. The Group meets every quarter over three days to share information and develop joint solutions to pressing issues. The agenda is broad-ranging and dedicates time each day to focus on specific issues. The government agencies with responsibility for those issues will be invited to attend for the period they are being discussed. The State and occasionally Federal Government departments represented at the LMARG forum (Day 2 of the meetings) include the DHHS, the Department of Education (DET), the Department of Premier and Cabinet (DPC), Aboriginal Victoria, and the DJR (Atkinson Consulting Group 2014).

Other services delivered to people in the region include:

- Statewide Aboriginal service providers who work in the region include VALS, and the Indigenous Family Violence Prevention Legal Service.
- Offenders are frequently referred outside the region to residential programs including Wulgunggo Ngalu Learning Place and Odyssey House Victoria
- In Mildura, the DHHS is funding the trial of a new mental health treatment model for Aboriginal people in contact with the justice system.

- Wiimpatja Healing Centre (formerly Warrakoo Rehabilitation Hostel) is a MDAS centre providing a community-based alternative to prison for Koori men on remand, sentenced or on warrant.

8.5. Justice services in Loddon Mallee

Loddon Mallee is served by five Local Aboriginal Justice Action Committees located in Bendigo, Mildura, Robinvale, Echuca and Swan Hill. Each LAJAC has a dedicated Project Officer providing support and assistance and acts a conduit between the LAJAC and the Aboriginal community at each location.

The region is served by three primary Department of Justice service locations:

1. Bendigo Regional Office and Justice Services Centre
2. Mildura Justice Service Centre
3. Swan Hill Justice Service Centre

Victoria Police employ an Aboriginal Community Liaison Officer (ACLO) in Mildura and Echuca. There are Police Aboriginal Liaison Officers (PALOs) in Mildura, Echuca, Swan Hill and Bendigo. Local Koori Family Violence Police Protocols have been initiated in Mildura and Swan Hill and provide an important initiative guiding the relationship between the police and the community around family violence.

Koori Magistrates', Children's and County Courts are located in Mildura and Swan Hill ²¹. The region is also home to two correctional facilities: Loddon Prison in Castlemaine and Tarrengower Prison in Maldon.

There are Local Justice Workers²² based in Mildura, Swan Hill, Echuca and Bendigo. These positions are located within an ACCO funded by the KJU's Local Justice Worker Program.

A Koori Youth Justice Worker is located within Bendigo and District Aboriginal Co-operative to support young Aboriginal people who are at risk of offending as well as those on community-based and custodial orders.

Aboriginal Community Justice Panels, staffed by volunteers who are on stand-by 24 hours, seven days per week to assist any Aboriginal person taken into custody operate in Bendigo, Echuca, Robinvale, Swan Hill and Mildura.

The Koori Youth Justice Program Loddon Mallee delivers the following place-specific programs:

- Community Based Koori Youth Justice Program delivered by Mallee District Aboriginal Services (MDAS) in Mildura and Robinvale
- Koori Early School Leaver Program delivered by Mallee District Aboriginal Services (MDAS) in Robinvale and Mildura
- Community Based Koori Youth Justice Program delivered by Bendigo and District Aboriginal Cooperative
- Community Based Koori Youth Justice Program delivered by Njernda Aboriginal Corporation
- Aboriginal Youth Support Service delivered by Mallee District Aboriginal Services (MDAS)- Mildura.

²¹ <https://www.magistratescourt.vic.gov.au/koori-court>; <http://www.countycourt.vic.gov.au/county-koori-court>

²² Local Justice Worker Guidelines, May, 2016, Koori Justice Unit

8.6. Current community grants funding in Loddon Mallee

The following organisations are currently funded to provide the Local Justice Worker Program in the Loddon Mallee region:

- Njernda Aboriginal Corporation (Echuca)
- Mallee District Aboriginal Services (Swan Hill & Mildura)
- Bendigo and District Aboriginal Cooperative (Bendigo)

The Local Justice Worker Program provides case management support for Aboriginal offenders to manage fines and outstanding warrants, and successfully complete community based orders to reduce breach rates

Mallee District Aboriginal Services (MDAS) is funded to provide the Koori Women's Diversion Program (KWDP), detailed in 8.7.2. MDAS are also funded to provide the Koori Night Patrol Program (KNPP), which commenced during AJA2.

Organisations in the Loddon Mallee region have also been successful in receiving grants funding through the Frontline Youth Program, and through the Koori Youth Crime Prevention Grants (funding from the Crime Prevention Unit)

Table 8-5: Current community grants funding – Loddon Mallee

Program	Organisation name	Project description	Location	Funding
Frontline Youth Initiative	Mallee District Aboriginal Services	The Horizons Intervention Project aimed to engage 150 Aboriginal youth aged 10-19 years in Swan Hill who were at risk of disengaging from education, training or employment. The project works on the principle of mutual obligation and supports youth to achieve their goals and overcome barriers. Youth who demonstrated improved attendance, literacy and numeracy levels, behaviour or attainment of careers goals, were supported to attend excursions, cultural activities, careers days, leaderships programs and sporting activities.	Swan Hill	\$330,000
	Njernda Aboriginal Coporation	This healthy lifestyles and sports/gym program for young Aboriginal offenders and those at risk of offending, aimed to build self-esteem, resilience, accountability and connection with the Aboriginal community. It targeted 60+ Aboriginal 10-18 year olds from Campapse Shire. Young people were referred from Njernda services, child and welfare services (including VACCA), schools, Night Patrols, Victoria Police and Echuca Regional Health. Assessment measured a number of domains, including confidence, knowledge of healthy lifestyles, pride in culture, strength of cultural identity and community connectedness	Campapse Shire.	\$297,000
Koori Youth Crime Prevention Grants	Bendigo and District Aboriginal Co-operative (BDAC)	The Bendigo Koori Youth Project program targeted Aboriginal youth aged 12-17 years based in the Bendigo region. The program comprised fortnightly sessions focused on drug and alcohol prevention, cultural strengthening, family violence, self-worth, health and fitness, legal rights, and anger management. The aim of these sessions was to increase positive interactions, develop positive influences and to	Bendigo	\$55,000

Program	Organisation name	Project description	Location	Funding
		support participants to reach their goals. The Koori Youth Justice Worker delivered the program in conjunction with Community Elders and local ACCOs staff.		
	Njernda Aboriginal Corporation	The <i>Yarning up on Wellness</i> program targeted Aboriginal Youth aged 8- 24 years at risk of entering the justice system. Njernda established an intensive 12 week youth program to address the drivers of offending in a culturally appropriate manner. The program was enriched with cultural strengthening and engaged respected persons and Elders into the delivery of the program. The program utilised existing staff resources such as the Youth Justice Worker and the Community Engagement Worker to deliver the program and engage appropriate stakeholders.	Echuca	\$55,000
	Mallee District Aboriginal Services (MDAS)	The MDAS <i>Koori Connect</i> program targeted Aboriginal youth aged 14-17 years in the Mildura region who were disengaged and at risk of being involved or in the early stages of involvement with youth justice. The program delivered a range of educational, cultural, community strengthening, enhancing positive social connections and social and emotional health activities once a week for 12 weeks. The Aboriginal youth partnered with Mentors and Elders to enhance the participants social support network. The program was integrated into existing Aboriginal youth programs currently being delivered by existing staff.	Mildura	\$55,000

8.7. Informant interviews key findings – Loddon Mallee

This study focuses on two initiatives operating in the Loddon Mallee region and considers how they align with the key characteristics of a place-based approach. Both initiatives seek to divert Aboriginal offenders from further contact with the justice system.

- Offering a culturally safe bridge between Aboriginal people and the criminal justice system, several liaison roles were strengthened under AJA3 to reduce re-offending rates. Workers are variously employed by ACCOs, Police and the Sheriff.
- The Koori Women's Diversion Program was introduced in Mildura as a pilot and now has ongoing funding for two Aboriginal case managers. The program provides intensive case management, without a time limit, for women with complex needs, to prevent imprisonment or re-imprisonment.

8.7.1. Liaison positions

The AJA3 is credited with establishing or further developing designated liaison positions for Aboriginal workers in the region:

- Local Justice Workers have three main functions: to work with CCS to support Aboriginal offenders to complete their CCO, to work with Sheriff's officers to assist Aboriginal offenders to successfully resolve their fines and warrants and to deliver community education; to offer

case management and referral regarding housing, family violence, mental ill-health, alcohol and other drug problems, court support and financial counselling.

- In a role that is similar to that of the Local Justice Worker, the Sheriff's Aboriginal Liaison Officer assists Aboriginal people to navigate the justice system over non-payment of fines. With a client management focus, the SALO supports the Sheriff's officers to recognise that clients have complex issues, are at a real disadvantage, and may not have the capacity to pay fines. Building the community's trust is critical. The team works in the community and also visits the region's prisons to make sure all fines are called in during a prisoner's sentence.
- Aboriginal Community Liaison Officers (ACLOs) are employed as unsworn Police members to help build a solid foundation of trust and respect between Victoria Police and the Aboriginal community, and foster communication and interaction between Police and the Aboriginal community to resolve issues.²³
- Koori Youth Justice Workers (KYJW) work with at-risk clients to prevent offending or re-offending behaviour by ensuring that young Aboriginal people are connected to their families and communities, and are provided with access to any supports and services that they require. Koori Youth Justice Workers are located in three metropolitan Melbourne and 11 rural locations as well as the three Youth Justice Custodial Centres.
- Aboriginal Wellbeing Officers (AWOs) are located at, or regularly visit, all of Victoria's prisons. AWOs have full-time responsibilities for the ongoing welfare, advocacy and support of Aboriginal prisoners.

A Local Justice Worker interviewed for the evaluation sees building close and empathic relationships with the client group as the key building block for addressing justice issues. The role, located within an ACCO, includes outreach as well as office-based work.

One CCS manager described the positive effect of working together with a Local Justice Worker so that community members complete their CCOs with fewer complications:

If they don't get through their orders we have to go back to court and the orders may be reimposed; or they've left Swan Hill and get picked up elsewhere and end up engaged with the system for two years instead of a few months, because there can be huge time lapse between being breached and getting back to court. The current system helps people get through their orders better. The LJW plays a big part in that, as well as CCS having an Aboriginal Case Manager. Clients feel more comfortable that someone understands the issues that affect them and has cultural knowledge.

This account reflects not only the LJW role but also the importance of a case management style in CCS that is culturally appropriate and more therapeutic than punitive. Stakeholders reported a trend towards CCS employing people with experience outside of the justice system who could bring the necessary therapeutic approach. The backgrounds and perspectives of the people interviewed (Aboriginal and otherwise) attested to this.

This more responsive approach is reported to be associated with improvements in the management of community orders and a better client experience. One LJW reported that clients on orders appreciate that the conditions are now much more flexible;

They can fulfil them by attending health appointments and programs. It's empowering them to look after themselves as well as get the Sheriff off their backs and getting licences back.

²³ http://www.police.vic.gov.au/content.asp?Document_ID=287

A client completing a CCO reported;

The local ACCO is really helpful. I've got psych problems, heart problems... I've just finished a program making cloaks of possum skin for three weeks. I had opportunity to say yes or no about doing groups with them, which is good because sometimes I'm a bit anxious and want to stay home.

High expectations are placed on these liaison roles and our consultations found a number of challenges. Continuity of staff is an issue. The roles carry many demands – being a 'gateway to community' for mainstream agencies, engaging community members who have multiple problems and a fear of authority, and being effectively always on call as a local community member. Their proximity to the issues also places a considerable emotional strain on the LJWs (and other Aboriginal liaison personnel).

We heard occasional reports of gaps or shortcomings in service delivery owing to the (a) difficulty of attracting, recruiting and retaining skilled Aboriginal staff or (b) nepotism in appointments to positions in ACCOs.

Several stakeholders commented that the liaison roles depend very much on the individuals in the positions and on their being able to work flexibly, doing what they can on their knowledge of what seems to work, based on their own skills and experience and on their relationships with government and community. Ongoing training, development and support are required so that LJWs can work effectively and sustainably in the Aboriginal and mainstream service network.

The KJU is responsible for providing professional development and support for LJWs. They provide staff induction and organise regular state-wide networking meetings to share experience and ideas. Local service providers are required to provide day to day management and support.

Some stakeholders pointed out the ongoing and significant need for 'serious' cultural training for all workers in the criminal justice system, to minimise barriers for the liaison workers and clients. The evidence from Barwon South West attests to the benefits that are derived from cultural awareness training and its consistent adoption across the other regions would likely deliver the same benefits.

8.7.2. Koori Women's Diversion Program (KWDP)

Of all the initiatives investigated for this evaluation, the KWDP shows the closest alignment to a place-based approach according to the characteristics identified in the literature. In part because of this alignment we have been able to provide more detail on the design and delivery of the program and discuss the effect that a place-based approach can achieve.

Context and needs

Aboriginal women in Victoria are imprisoned at a higher rate than non-Aboriginal women and Aboriginal men. A high proportion of Aboriginal women are on remand who subsequently do not receive a custodial sentence. According to the report *Unfinished Business – Koori women and the justice system* (VEOHRC 2013), this over-representation in arrest, conviction and imprisonment is driven by family violence and sexual abuse, inter-generational trauma, mental illness, drug and alcohol problems and high rates of re-imprisonment.

The number of Aboriginal women in the justice system is rising quickly, although from a low base (VEOHRC 2013). Our interviewees reported that when Aboriginal women go to prison there is a 'devastating ripple effect', in terms of the family and particularly children placed into out of home care. These women are described as 'at the top of the scale of complexity', with acquired brain injuries, alcohol and other drug problems, having children in care, low education, previous prison

terms, and poor or no housing. Somewhat overlooked, and with multiple needs, the cohort is now seen as extremely significant and requiring a web of service support.

Unfinished Business (VEOHRC 2013: 6-7) provided an in-depth analysis of the needs of Aboriginal women in the justice system. It highlighted that effective interventions, including prevention, diversion and post-release programs, should:

- be culturally and gender specific
- draw on community knowledge in their design and delivery
- recognise the significant role of Koori women in family and community life
- ensure Koori women have a stable base, especially safe and secure housing
- allow Koori women to be with their children and support families to rebuild
- deal with experiences of violence, trauma and victimisation
- promote and strengthen connection to culture
- support Koori women to navigate the complex and fragmented service system
- use a “wrap-around” approach, providing life skills, parenting skills, mental health services, drug and alcohol support and disability support, as required.

The Koori Women’s Diversion Program team has taken on board these principles for design and delivery, in particular drawing on local community knowledge. It has also considered the ‘strength’ of the community in terms of service provision, with the team calling on the services best able to respond to the context.

Maximising women’s diversion is a strategic focus of AJA3.

The development of effective diversion options for Aboriginal women was one of the main unfinished tasks from AJA2 and a priority recommendation from its evaluation. AJA3 recognises that offending at a level that leads to incarceration places individuals at much higher risk of subsequent incarceration, potentially exposing children to the risks of neglect, abuse, hunger and homelessness, and increasing their likelihood of adverse contact with the criminal justice system in future (AJA3, p30, also AJA3 pp101-102).

The program

In responding to the complexity of issues leading to Aboriginal women’s imprisonment, the *Koori Women’s Diversion Program* (KWDP) uses intensive case management to support Aboriginal women, to break the cycle of victimisation, violence and offending. The first pilot has been designed and run in Mildura.

Although a priority under AJA3, funding had to be found internally within the KJU, with the program reprioritised to provide a pilot program in Mildura. Subsequently two years of funding was allocated in the State budget and in 2017-2018 KWDP has ongoing funding and funds for expansion. The importance of the initiative was recognised and it won the KJU’s first new AJA money in 10 years.

MDAS employs a KWDP case manager and a case worker. They are supervised and well supported within the organisation’s Social and Emotional Wellbeing team (which is also responsible for a new collaborative mental health project).

Interviewees reported that the program offers holistic wrap-around support so that women can navigate the justice system and its silos. The program links women to MDAS and other services (ensuring that the women can choose which services) and provides intensive case management for as long as it is needed. The intensive case management approach allows for support to be tailored to

the individual, allowing multiple determinants of criminal behaviour, disadvantage and distress to be addressed.

There's a huge complexity of issues. Safe housing with 12-18 months (or longer) tenancy. Intensive support stands out – intensive case management for the whole family that's family-centred, therapeutic and trauma-informed. (DJR stakeholder)

We need to help people recover from the roots up, like a strong river gum. (CCS officer)

By contrast, mainstream issue-specific programs or approaches can be difficult to engage with, as 'they don't want to hear about just anything - just about their special area'.

Informants noted that contact with the justice system was only one part of the picture for the program's clients. That is why the program offers multifaceted support that is valuable for all those with multiple and complex needs.

The program is connected to mainstream specialist services where appropriate. A prime example is the Alcohol and Other Drug (AOD) residential rehabilitation service of Odyssey House Victoria, which has dedicated KWDP beds, employs an Aboriginal women's worker and runs a culturally specific education program among a suite of programs that are open to all. Childcare is provided within the program for residents' children.

The Mildura pilot was designed and continues to be developed 'in place'. Rather than being rolled out by government in a standard format, the KWDP was designed in and with the local community, to suit the local context and the available service mix. While there are core principles, particularly around intensive case management, operational structures and details are context-specific. For example, the Mildura pilot started with a plan for six months of engagement for each client but soon established that the clients needed longer to engage with the program and make best use of it, and that 12 months was still not enough for some of those with the complex needs. To achieve real outcomes it is arguable that there should be no set time limit for participants. This acknowledgement of the complexity of the issues being addressed and that they will not be resolved in the short-term has been identified as a necessary component of place-based initiatives.

Effectiveness

Participants in the Mildura pilot have demonstrated reduced offending, minimal disengagement and positive outcomes in relation to family re-unification²⁴. One key success indicator is that some women started the program as part of a CCO and have continued voluntarily after the order expired.

A few of my women clients are painting gravestones. At first, they don't want to go but they get there and it's all about having a yarn and finding similarities – all ages, lunch provided (that always brings people) and it's part of their community work – if they go they knock off work hours from the CCO. (CCS Officer)

Odyssey House is seen as offering culturally appropriate, evidence-informed, family-based residential care that has been enhanced through the KWDP. Aboriginal women are staying longer in the Odyssey program; better outcomes are associated with longer stays.

Program stakeholders are aware of the need to collect activity and outcome data and disseminate evaluation findings. The KJU supports the KWDP team to document the number of inward and outward referrals. Odyssey House adds data on length of stay, and details of any accompanying children. Some written case studies / significant change stories are being collected and it is hoped that ongoing evaluation will occur.

²⁴ Koori Justice Unit (2016). *Key Achievements 2015-2016*, Unpublished report

Learning and improvements

The KWDP report the need for better access to housing, otherwise the “good work in case management gets undone”. There is more work to be done in linking women in prison to services (diversionary or other), for example, getting remandees out on bail to Odyssey House. The recommendations of the *Unfinished Business* study remain relevant.

Some concern was expressed about the caseloads of workers and the need to manage these to maintain responsiveness without overload.²⁵ The KWDP’s position in the MDAS Social and Emotional Wellbeing Program should enable nuanced management. The issue of caseloads for all Case Managers is consistently raised across all regions.

As the program develops it has become clear that clients need more accessible options designed specifically for women. Culturally safe alcohol and other drug treatment services, both residential and community based, are lacking. Clients electing to go to a residential rehabilitation centre or a healing centre are often placed elsewhere in the state or interstate, and the opportunity may be lost if there is a gap between withdrawal (detox) and the availability of a bed. There is a demand for effective local residential healing centres.

There is a need for further local women’s diversion programs, designed in partnership to suit the local context. There is also a growing demand for supporting Aboriginal young women through a state-wide Aboriginal young women’s diversion program²⁶. Some stakeholders advocated for a men’s diversion program inspired by the Mildura KWDP.

For program development and growth there is a need to monitor and evaluate progress to understand if, and why, the KWDP works in the particular Mildura context.

If this approach is shown to work for those with the highest risks and the highest needs (the women in the KWDP), then it will work for any people with multiple and complex needs,

²⁵ Intensive case management models indicate less than 10 individuals (in the mental health literature) and as few as two families (in family support literature - Tilbury, Clare (2015) Moving to Prevention research report: Intensive family support services for Aboriginal and Torres Strait Islander children. Griffith University <http://www.snaicc.org.au>

²⁶ For example, Koori Youth Council submission, March 2017: https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Youth_Justice_System/Submissions/Submission_22-Koorie_Youth_Council.pdf

9. Northern Metropolitan Region

9.1. The Place – About the Northern Metropolitan Region

The Northern Metropolitan Region covers 1,650 square kilometres and comprises the metropolitan LGAs of Banyule, Darebin, Melbourne, Moreland and Yarra, and the semi-rural LGAs of Hume, Nillumbik and Whittlesea.

This highly urbanised area has a total resident population of the Northern Metropolitan region at the last census (2016) was 1,109,916, with Aboriginal people accounting for about 0.6 per cent of this population.



Table 9-1: Population of local government areas in Northern Metropolitan Region (2016)

LGA	Total	Aboriginal	Non-Aboriginal	% Aboriginal
Banyule (C)	121,863	702	121,163	0.6%
Darebin (C)	146,723	1,166	145,547	0.8%
Hume (C)	197,377	1,456	195,926	0.7%
Melbourne (C)	135,965	478	135,490	0.4%
Moreland (C)	162,560	819	161,748	0.5%
Nillumbik (S)	61,276	234	61,045	0.4%
Whittlesea (C)	197,494	1,648	195,853	0.8%
Yarra (C)	86,658	383	86,265	0.4%
Total	1,109,916	6,886	1,103,037	0.6%

Since the census of 2006 the total population of the Northern Metropolitan region has increased by 30.3 per cent, the second highest increase of all justice regions. The Aboriginal population in the region increased by nearly 50 per cent over the same time period, from 4,614 to 6,886 people.

The age profile of the Northern Metropolitan region is shown in Figure 9-1 indicating a young population with 50 per cent aged under 25 years.

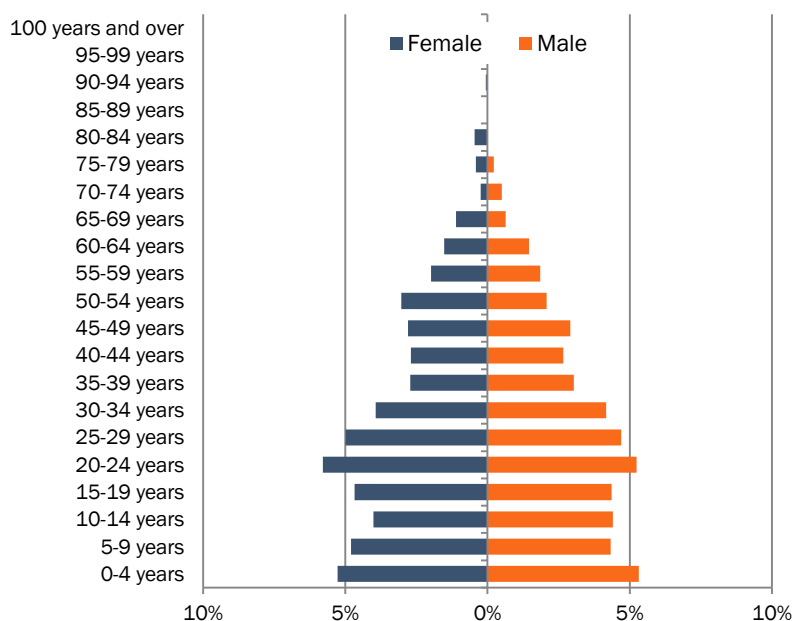


Figure 9-1: Age distribution of Aboriginal population in the Northern Metropolitan region (2016)

Forty-five per cent of Aboriginal people aged 15 years and over have completed schooling to year 12 and about 10 per cent has a Bachelor's degree (compared to 6.2 per cent of the same cohort across Victoria).

As would be expected for a region largely comprising metropolitan local government areas, the Northern Metropolitan region has a diverse economy. Across the region the main industries of employment are those involved with health care and social assistance. Other significant sectors of employment are Professional, Scientific and Technical Services, Education and Training and Retail Trade. While many Aboriginal people are employed in health and social services there are similar numbers employed in public administration and safety, education and training and construction. The sectors where there are high rates of employment of Aboriginal people are supported by data gathered during stakeholder interviews in the region. The Northern Metropolitan region contains the headquarters of many ACCOs delivering health and social services. There are also several government agencies in the region employing many Aboriginal people in their workforce.

At the time of the 2016 census the unemployment rate for Aboriginal people in the region was around 7 per cent. The lowest rate was recorded in Nillumbik (2.5%) and the highest in Moreland (8.2%) and Hume (8.1%). At that time the state-wide unemployment rate was 4 per cent. This suggests that the region has pockets of unemployment affecting areas on the urban fringe.

A regional health profile has been prepared by the Department of Health and Human Services for the Northern Metropolitan region. Although not current (it was prepared in 2015) the indicators are unlikely to have significantly shifted over the past two years. In terms of social disadvantage, the region experienced higher than average unemployment rates, a high proportion of social housing with the rate of homelessness per 1,000 population the highest in the state. About 12 per cent of households in the region experience mortgage stress and 24 per cent experience rental stress.

There is a high percentage of people reporting Type 2 diabetes and the overall percentage of people reporting fair or poor health is the highest in Victoria. At the same time the proportion of general

practitioners, allied health service sites and pharmacies per 1,000 population are the lowest in the state²⁷. Up to date Aboriginal-specific health data is not available.

There is a cycle of poverty from a lack of housing and jobs to a lack of education and compromised health. Among the Aboriginal community, one informant estimated that “a third of the community is in dire straits, a third are struggling and a third can cope and can help the other two thirds” (ACCO Interviewee).

9.2. Aboriginal people in the Northern Metropolitan region

The Northern Metropolitan region is the land of the Wurundjeri people. The area the City of Yarra occupies was looked after by the Wurundjeri-willam family group of the Wurundjeri-balluk clan. The Wurundjeri-willam mainly spoke Woi Wurrung language, but also spoke other languages of their nation.

With its proximity to the capital of Victoria the Northern Metropolitan region has attracted significant in-migration of Aboriginal people from across the state. There are now many clans represented in the region, although it maintains a strong connection to its historical and cultural roots. The area has become a centre for Aboriginal politics.

In the late 1950s Pastor Sir Douglas Nicholls led an effort to purchase the All Saints Church Vicarage in Northcote to help combat the problem of Aboriginal homelessness. Around the same time a committee had formed in response to a welfare crisis in the Warburton Ranges in Western Australia. The Save the Aborigines Committee formed in Melbourne and later became the Victorian Aborigines' Advancement League with Pastor Nicholls, Gordon Bryant, Stan Davey and Doris Blackburn at the helm. From this, the northern metropolitan area became the centre for Aboriginal activism in the state and became a meeting place for Aboriginal people to link-in with family, community and services.

During interviews many of the ACCOs in the area expressed a strong respect for the efforts of their predecessors in providing the historical framework for their continued presence and work in the region.

9.3. Justice issues in Northern Metropolitan region

In the evaluation of the AJA2 the Northern Region was one of two regions where there was an increase in the over-representation of Aboriginal people in the criminal justice system (the other being the Western Metropolitan region). Over-representation had increased by 36 per cent in the period of AJA2. This was largely attributed to an increase in the proportion of offenders sentenced to imprisonment rather than community-based orders. The evaluators found people in the Northern Metropolitan region were about 15 per cent more likely to receive a prison sentence.

One of the primary justice issues raised during interviews related to the previously poor relationship between Victoria Police and the Northern Metropolitan Aboriginal communities. Improving this relationship has been a specific focus of the RAJAC in the region.

A second area of concern was the extent of family violence, which was perceived as worsening over the years. One of the factors contributing to family violence in the Northern Metropolitan region, according to a representative of the RAJAC and the Indigenous Family Violence Regional Action Group, relates to lack of services available to men leaving prison. Of some concern is the lack of continuity between prison-based service providers and service providers in the community. Information about

²⁷ Statistical profile of North & West Metropolitan Region - North LGAs, 2016 <https://www2.health.vic.gov.au>

the mental and physical health status of prisoners and the services they have accessed while in prison is not always shared with community-based service providers. This concern was also raised in interviews for the partnership evaluation interviews conducted in the Western Metropolitan region. As one Northern Metropolitan stakeholder noted;

Information stops at gate, not shared with community services.

Accommodation options for men released from prison are limited in the Northern Metropolitan region. There had previously been a hostel where men could stay post-release but this is no longer in operation. If men are unable to return home they will tend to 'couch surf' with family members where they can. The transience of these arrangements can often contribute to a return to offending behaviours. It certainly makes it difficult for men to re-engage in employment or other meaningful activity (RAJAC Member).

The situation is compounded as more and more prisoners are not applying for parole and are leaving prison having served their full sentence. As a result, these prisoners are not subject to supervision of any kind on release.²⁸. This becomes an issue when people are released without having addressed their offending behaviours, particularly those associated with anger management or problematic alcohol and other drug use. The chance of reoffending is much higher for this cohort.

We've seen more men being locked up for family violence. While they're in prison they learn other criminal behaviours. Then when they're released they revert to what they 'know best' especially if they're not under any conditions attached to parole. Without that there's little incentive for them to address their offending behaviours. (RAJAC Member)

Data on offenders in the region identified as Aboriginal in 2012-2016 (reported to the RAJAC meeting, 25 August 2017) indicated that between June 2012 and June 2016 average Aboriginal offender numbers grew from 87 to 134. As a proportion of the overall offender population, however, Aboriginal offenders decreased from 4.9 per cent to 4.4 per cent. When age is considered, the data show that the proportion of Aboriginal offenders who were under 25 marginally declined from 19.5 per cent in 2012 to 14.2 per cent in 2016, after a peak of 33 per cent in 2013. A report provided by the DJR Acting Regional Director to the RAJAC noted that reoffending, offending by young women, and family violence were increasing. Further, data indicated that many offenders had mental health problems.

²⁸ The main reason for serving a full sentence is around a desire to be released to freedom rather than conditions, such as reporting to a community corrections office, attending programs etc.

9.3.1. Police data

Data referred to below is from the Crime Statistics Agency Aboriginal Justice Indicators – Victoria Police dashboard and covers the period 1 January 2012 to 31 December 2016 unless otherwise stated.

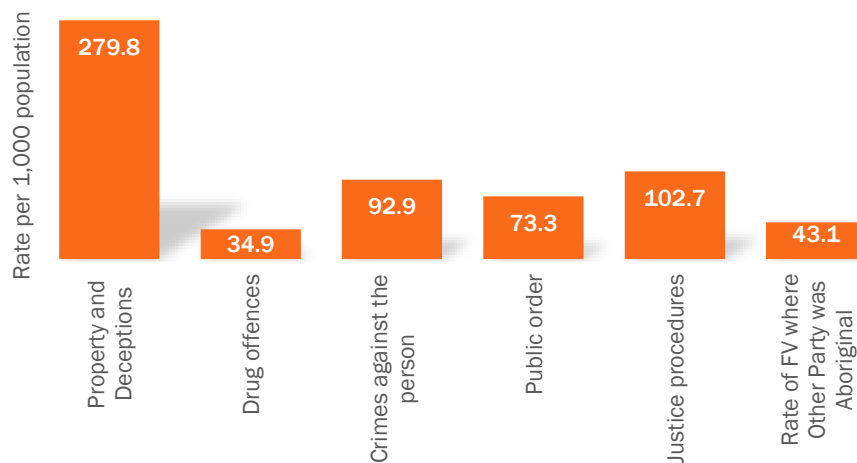


Figure 9-2: Most Serious Offence types Northern Metropolitan region (2016)

Property and deception type offences account for the majority of offences in the region and at 280 offences per 1,000 population the rate is the highest of all four regions. This is followed by offences against justice procedures and crimes against the person. This pattern in offence type reflects the other regions under investigation.

Anecdotal evidence has suggested that cautioning of young people has increased although the data from the Crime Statistics Agency does not bear this out. There had been an increasing trend in police cautioning between 2012 and 2013 but that began trending downward in 2013 through 2016. It may be that 2017 saw an upward shift but that data is not yet available for review. Figure 9-3 shows the trend in youth cautioning in the Northern Metropolitan region.

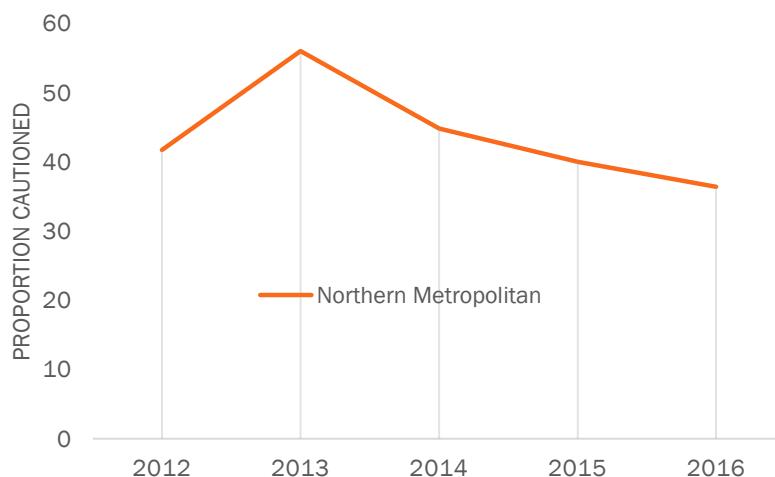


Figure 9-3: Proportion of first-time Aboriginal young offenders cautioned by police (Northern Metropolitan)

Although there is a perception that family violence offending is increasing the police data from 2012-2016 suggest that the rate of family violence had reduced in 2016 after increasing significantly between 2014 and 2015 (Figure 2-1). Data for 2017 are not available.

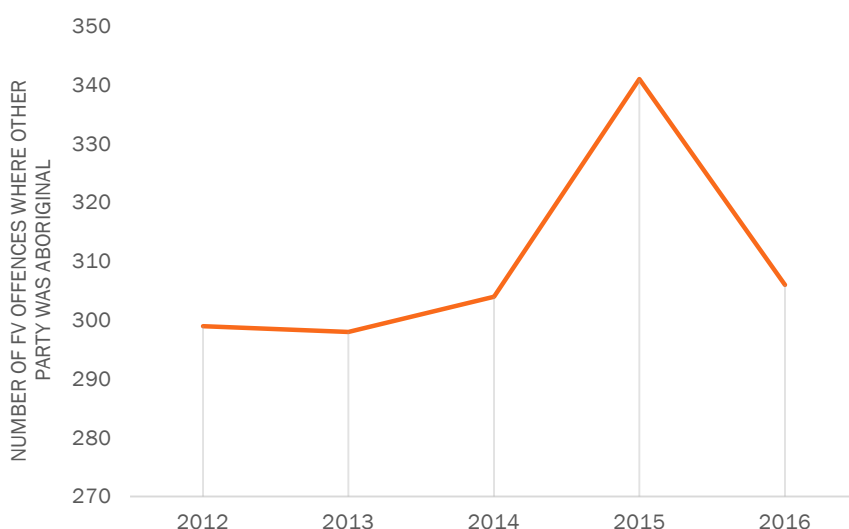


Figure 9-4: Number of family violence offences where 'other party' (perpetrator) was Aboriginal (Northern Metropolitan)

A worrying trend is the increasing rate at which Aboriginal offenders are breaching Family Violence Intervention Orders. This has increased by 185 per cent over the past five years such that in 2017 half of all orders had been breached.

9.3.2. Community corrections

Interviews with Corrections Victoria noted a significant increase in the number of people on CCOs²⁹ in the region since the abolition of suspended sentences and changes to parole conditions. Between 2012 and 2017 the region has seen an 87.5 per cent increase in the offender population on CCOs. While the number of males on CCOs has decreased in the past 12 months, the number of females has increased by close to 40 per cent. The Northern Metropolitan region had the second highest volume of orders registered for Aboriginal offenders in 2016/17 (at 220 this was significantly lower than the highest ranked region, Loddon Mallee, where 278 CCOs were registered)³⁰. It would be worth investigating the extent to which ACCOs in the region will be able to meet demand should these increasing trends continue.

The proportion of offenders on CCOs that are Aboriginal is now about 4.6 per cent which has been relatively stable over the period. Offenders aged under 25 years comprised 21.5 per cent of the total number on CCOs but there has been an increasing trend for CCOs for people aged between 35 and 44 years over the past five years.

The majority of orders (54.7%) are supervised court orders and only 13.3 per cent of offenders are unsupervised. Almost half of orders are for 7 to 12 months in length which tends to be higher than non-metropolitan regions. Of the community orders served in 2016-17, half had a community work component, close to 80 per cent included at least one drug or alcohol condition and close to 60 per cent included a mental health treatment condition. Offenders in the Northern Metropolitan region were more likely to be subject to judicial monitoring than other regions (34.5%). The allocation of conditions has been stable over the past years.

²⁹ The community correction order (CCO) is a flexible sentencing order that the offender serves in the community. A court can impose a community correction order on its own or in addition to imprisonment or a fine. In early 2012, the community correction order replaced a number of sentencing orders, including the intensive correction order, home detention and the community-based order. <https://www.sentencingcouncil.vic.gov.au/about-sentencing/sentencing-options-for-adults/community-correction-order>

³⁰ Data sourced from The October 2017 Corrections Victoria Data Report to the Aboriginal Justice Forum provides information on the number of Aboriginal offenders on community correction orders.

Successful completion rates for orders of all types are currently sitting at around 43.7 per cent, the second lowest completion rate in the state (Southern Metropolitan region recorded a completion rate of 42% in 2016/17). Both male and female offenders recorded similarly low completion rates. The lowest completion rates were for those aged between 25 and 34 years (40.5%). The main reason for failing to complete an order relates to breach of conditions, for both supervised and unsupervised offenders. Such low completion rates and the rate of breach suggests the need for further analysis to determine if there are any systemic factors contributing to this situation. Nearly a quarter of offenders on supervised court orders were unsuccessful because they committed further offences.

Data for 2016-17 show the largest proportion of orders were issued for a most serious offence of assault (29.5%) and 'other property' offences (21.4%). Driving offences were the next most common most serious offence type at 20 per cent.

9.3.3. Youth justice community orders

The Youth Justice Service presents data to the AJF at each forum. According to the report delivered to AJF49 in October 2017 and for the period 30 June 2016 to 30 June 2017, the average daily number of young people on youth justice community orders in the Northern Metropolitan region was as shown in the table below.

Table 9-2: Average daily number of young people on youth justice community orders North West Metropolitan region, by gender (2015-17)

Year	Aboriginal		Non-Aboriginal		Not known	Grand Total
	Female	Male	Female	Male		
2016-17	6.7	15.0	30.5	202.8	0.1	255.0
2015-16 ³¹	2.6	18.1	20.7	35.7	184.3	220.0

The table below shows the age distribution of Aboriginal young people in the Northern Metropolitan region who were on youth justice community orders in the 2016-17 period. Female offenders on orders are evenly represented across all age groups. Male offenders on orders are mostly aged between 12 and 14 years.

Table 9-3: Average daily number of young Aboriginal people on youth justice community orders, by gender and age – North West Region (2016-17)

Region	Female			Male			Total
	12-14	15-17	18+	10-11	12-14	15-17	
NWM	2.1	2.2	2.3	0.0	12.2	2.8	21.6

9.4. Community organisations in the Northern Metropolitan Region

Many headquarters for Aboriginal providers of family, legal, educational, health and welfare services are located in the Northern Metropolitan region. Some in this extensive Aboriginal services network have a state-wide remit.

Community organisations that operate across the metropolitan area include the Aborigines Advancement League (AAL), the Victorian Aboriginal Childcare Association (VACCA), Victorian Aboriginal Community Services Association Limited (VACSAL), the Victorian Aboriginal Health Service

³¹ Data sourced from Youth Justice Data Report presented to AJF46, Ballarat, North West Metropolitan former DHHS region

Cooperative Limited (VAHS), and Melbourne Aboriginal Youth Sport and Recreation (MAYSAR). We have estimated employment within these organisations is likely more than 800 people.

Organisations with offices and programs in regional as well as the metropolitan area are the Aboriginal Family Violence and Prevention Legal Service Victoria (FVPLS Victoria), the Victorian Aboriginal Education Association Incorporated (VAEI), and the Victorian Aboriginal Legal Service (VALS). The Victorian Aboriginal Community Controlled Health Organisation (VACCHO) is the peak body for the health and wellbeing of Aboriginal people living in Victoria.

We note that the presence of a large number of ACCO headquarters in the region does not necessarily equate with better service accessibility.

The **Aboriginal Centre for Males** can offer community work opportunities. This is a referral service (a program operated by the Victorian Aboriginal Community Services Association) working with men on CCOs. The service focuses on family violence & homelessness and aims to culturally strengthen the family, bring awareness and responsibility to the male for their actions and their role as a father/husband/partner, and to keep the family together.

Family reunification work has increased with the creation of a DHHS family reunification unit, part of the Children's Court, as a prevention and early intervention strategy. CCS Officers report frank and open discussions with DHHS about client needs, and productive attendance at family meetings:

We're invited because there's a lot of carer and custodial issues that we have information on, and it's about being transparent so that clients know what's going on. Some clients used to refuse to work with Child Protection, understandably. Having us all in the room allows the offender to see we all want the same thing – reunification. It helps break that cycle. A long way to go but a lot has been happening in the last few months. Our role is around risk but it doesn't stop us working holistically with various support agencies. (CCS Interviewee)

The process described here demonstrates a collaborative, holistic and trust-building approach typical of effective place-based programs.

The **Minajalku Healing Centre** can be accessed by Aboriginal men, women, children, youth and Elders from a wide variety of backgrounds and who are at different stages of their healing and life journey. Minajalku aims to provide a culturally safe environment to assist healing and recovery that will strengthen connections, self-esteem, sense of cultural identity and healthy lifestyles. The space hosts services such as Dardi Munwurro Men's Group.

CCS make use of **Wulgunggo Ngalu Learning Place** in Gippsland. The centre is valued as a place to meet requirements of CCOs in a safe space. The centre is strongly linked with Dardi Munwurro Men's Behaviour Change, and the local TAFE.

Most of my male offenders are linked there, also through VAHS. They can stay three months or up to six. It's free, so it is an opportunity to save Centrelink payments, then we can help them get housing afterwards. (CCS Officer)

Community Crime Prevention Victoria provided funding for the delivery of the **Dardi Munwurro Journeys Program** to Aboriginal youth in the region. Dardi Munwurro also deliver their Strong Spirit Men's Behaviour and Healing Program targeting men who have lived through trauma and inter-generational violence. This work occurs locally as well as at Wulgunggo Ngalu Learning Place.

Vignette of a former ice user

My first contact with justice system was eight years ago and I've had four or five CCOs since then. Never had a negative relationship with police or the justice system. I couldn't comply with orders because of ice addiction. I went through Koori Court and always tried to comply.

There aren't many places I could do community work. They always asked too much of you – urine tests, etc. But a CCO is better than prison. I've been clean for 15 months now and I have had the option to come here to Wulgunggo Ngalu Learning Place again, for the third time here. I can complete my CCO hours here. I've done anger management through the CCS and the men's behaviour change program and AOD counselling here.

I'm connected to community and not judged. I got a lot of help and it's helped my spirit – I'm a lot stronger. I feel I don't have to answer to anyone any more. Also, I now have a young family – two kids – so I want to be a good father. I'm hoping to get into full time work as soon as I get out. This time (at Wulgunggo Ngalu) I knew what I had to do here.

The Victorian Aboriginal Health Service has staff who regularly see offenders and are described as providing a safe and supportive service. They provide counselling for a wide range of issues, including mental health, alcohol and other drugs, gambling and anger management. With funding and support from the Victims Assistance Program an Aboriginal Victim Support Worker is located at Victorian Aboriginal Health Service. Offenders who are also victims of crime may also be referred there.

9.5. Justice services in the Northern Metropolitan Region

The region is well-served with justice services which is unsurprising given it is metropolitan and also the location for the headquarters of many ACCOs. Below is a summary of the justice services available.

Broadmeadows Regional Office houses DJR services such as Births, Deaths and Marriages and Community Corrections Services (CCS). Support for the regions RAJAC is provided by the Executive Officer based at the Broadmeadows office. There are no LAJACs in this region. There is also a Justice Service Centre in Carlton and CCS offices at Reservoir, Greensborough and Heidelberg. The Judy Lazarus Transition Centre, a minimum-security facility providing a supervised pathway back into society for selected prisoners nearing the end of their sentence, is within the boundaries of the Northern Metropolitan region.

VALS employs two Local Justice Workers. The role of these LJWs was described by one (CCS) worker as helping “with transitional needs, [and forming] relationships with case managers. It helps to have someone who is not part of Corrections, while we are seen as authority figures. And she is an active member of the community and knows families”. The LJW accompany CCS staff on home visits to people on CCOs who are unable to attend the office, for example, because they are new parents, have health or mobility problems or are simply disengaging from the process. The aim of these visits is to resolve issues and prevent a breach of the CCO.

VALS is also delivering:

- a ReConnect program for Aboriginal prisoners and offenders (complementing mainstream services run by Jesuit Social Services, ACSO Victorian Intake & Referral Service and the Victorian Association for the Care & Resettlement of Offenders).
- a Youth Justice Legal Service for civil, child protection and family matters for young people aged under 17 years. A separate office with its own team (separated from the adult legal service) enables client representation without a conflict of interest.

Victoria Police employ an ACLO for the region. ACLOs are employed as unsworn Police members to help build trust and respect, and foster communication and interaction between Victoria Police and the Aboriginal community to resolve issues. Police Aboriginal Liaison Officers or assistant PALOs (sworn Police members) are also designated and their number has increased during AJA3.

A SALO offers days at the Neighbourhood Justice Centre and Victorian Aboriginal Health Service to advise on unpaid fines. They gather information on the fines that individuals have and 'act as a buffer' to intervene before issues get to arrest warrant stage. A CCS worker noted that the SALO "hasn't made great inroads but is showing promising signs".

The Department of Justice and Regulation have also created a number of Aboriginal youth trainee positions. As a result, three young people have gone on to permanent positions – one SALO, one Justice Officers Team Leader and an Aboriginal Parole Officer.

A CCS Aboriginal Case Manager role has been in place for up to five years, and is highly regarded;

It's invaluable for building bridges and improving our understanding (CCS)

The Case Manager manages a case load of offenders on orders which involves conducting risk assessments, preparing case plans, providing interventions, proactively challenging offending behaviours, addressing the underlying factors in offending whilst directing and monitoring compliance with order obligations.

The Northern region also hosts the Indigenous Family Violence Regional Action Group which has cross-representation with the RAJAC. The 2003 Victorian Taskforce on Indigenous Family Violence had identified that Victoria's Indigenous men were being neglected. One of the recommendations from the report was the establishment of a resource and support centre for men who were struggling with domestic violence. This program/service is delivered across the state. The Indigenous Men's Resource and Advisory Service (IMRAS, under the Victorian Aboriginal Community Services Association) works with the existing Indigenous Family Violence Strategy networks. IMRAS' main aim is to establish local partnerships that will strengthen and support Aboriginal men's networks in the area. Members have expressed some concern that Aboriginal representatives from the KJU are not represented at the mainstream family violence table. The concern is that decisions taken with regard to legislative amendments and other policy changes are not being informed by an Aboriginal perspective even though evidence from past legislative change has shown a disproportionate negative impact on Aboriginal people.

The Neighbourhood Justice Centre (NJC), located in the City of Yarra, employs two Koori Justice Workers who offer court support, referrals to service providers and other assistance, case management and support for Aboriginal offenders on CCOs.

Koori Courts operate in Broadmeadows and Melbourne, and Broadmeadows court also holds a monthly Aboriginal Hearing Day on which all cases involving Aboriginal defendants are heard. The Aboriginal Hearing Day differs from the Koori Court in some key respects:

- the Aboriginal Hearing Day operates within a mainstream court context – it is not a specialist court
- clients do not have to plead guilty to access the Aboriginal Hearing Day
- respected Elders are not a feature of the Aboriginal Hearing Day but may participate in sentencing conversations³².

³² Refer to NJC (2014). Aboriginal Hearing Day Study of the partnership between the Aboriginal community and the Heidelberg Magistrate's Court that led to the formation of the Aboriginal Hearing Day. Online at <http://assets.justice.vic.gov.au/njc/resources/27beb3e1-9561-4487-8a4b-021afd8b35fd/aboriginal+hearing+day+-+heidelberg+magistrates+court.pdf>.

The special list was developed in order to provide better support for Aboriginal clients and to increase court attendance. NJC has reported greater engagement of Aboriginal defendants through the use of this model with attendance at 95-100%.

The Koori Youth Justice Program delivers the following programs in the Northern Metropolitan region

- Senior Cultural Practice Advisor, Youth Justice
- Koori Intensive Support Program
- Koori Intensive Support Practitioner
- Koori Court Advice Worker
- Community Based Koori Youth Justice Program delivered by Bert Williams Aboriginal Youth Services (BWYS) and VACSAL in Hume, Moreland, and North Metro
- Koori Early School Leaver Program delivered by Bert Williams Aboriginal Youth Services (BWYS)
- Aboriginal Youth Support Service operating out of Dardi Munwurro & VAHS.

9.6. Current community grants funding in the Northern Metropolitan Region

Victorian Aboriginal Legal Service Co-operative Ltd (Hume, Melbourne) are currently funded to provide the Local Justice Worker Program in the Northern Metropolitan region.

The Local Justice Worker Program provides case management support for Aboriginal offenders to manage fines and outstanding warrants, and successfully complete community based orders to reduce breach rates

Organisations in the Northern Metropolitan region have also been successful in receiving grants funding through the Frontline Youth Program, Community Initiative Program and through the Koori Youth Crime Prevention Grants (funding from the Crime Prevention Unit)

Table 9-4: Current community grants funding – Northern Metropolitan

Program	Organisation name	Description	Location	Funding
Frontline Youth Initiative	Victorian Aboriginal Child Care Agency	Our Voice Our Future Koori Youth Solutions Project engaged 48 Koori youth aged 12-25 years who were currently engaged with the Victorian Aboriginal Child Care Agency and disengaged or at risk of disengaging from education or employment. The project aimed to engage youth in a 23-week structured program (two programs per year) of education, research and activities to reconnect with culture, strengthen positive attitudes and self-image as well as provide opportunities to develop new skills.		\$327,250
	Songlines Music Aboriginal Corporation	Songlines Youth Project engaged 80 Koori youth from predominantly the Northern Metropolitan region in a series of music workshops and over 3,000 Koori youth in festivals. The project aims to improve the self-esteem, confidence, cultural knowledge, education and social outcomes of Koori youth through the delivery of music and dance		\$330,000

Program	Organisation name	Description	Location	Funding
		workshops, performance opportunities and youth events.		
	Aborigines Advancement League (auspicing for Fitzroy Stars Incorporated)	<p>Partnership in Sport – Youth Engagement project expanded upon the success of the Fitzroy Stars Football and Netball Club sporting and community social hub activity to develop and implement a Youth Engagement Strategy.</p> <p>The project targeted Aboriginal youth aged between 10 and 24 and who were (or are at risk of) disengaging from school, training and/or employment. They may be experiencing family conflict, be in contact with the youth justice system or be experiencing drug and/or alcohol abuse. Approximately 200 young people were to be supported over three years. The project also supports the young people's families by providing a place for families to connect, access information about support services and strengthen identity and cultural pride.</p>		\$330,000
Community Initiative Program	Aborigines Advancement League (auspicing for Fitzroy Stars Incorporated)	<p>Junior Stars- This project enabled Fitzroy Stars Football and Netball Club (FSFNC) to establish a junior football and netball club, providing a supporting pathway for young people to remain engaged in sport, the club and their community.</p> <p>Approximately 40-50 young people aged between 5 and 17, mainly from across the Northern Metropolitan area, were expected to benefit by participating within the junior teams.</p>		\$110,000
Koori Youth Crime Prevention Grants	The Long Walk Trust – Melbourne Vic	The <i>Deadly Race</i> targeted Koori youth aged 12-18 years based in the Northern Metropolitan suburbs of Broadmeadows, Craigieburn, Meadow Heights, Sunbury and Coolaroo. The program delivered four <i>Deadly Races</i> which consisted of numerous challenges including cultural activities. The aim of the program was to improve community connectedness and enhance relationships between young people and local service providers. Partners to the program were Wandarra Aboriginal Cooperation, Local Aboriginal Networks, Melbourne Victory and Federation University.	Broadmeadows, Craigieburn, Meadow Heights, Sunbury, Coolaroo	\$40,000
	Victorian Aboriginal Community Services Association Limited	The <i>Youth Resilience Camps</i> project targeted Koori youth from the Northern Metropolitan Region aged 13-17 years to address issues related to youth suicide. Four camps over two years - two in winter and two in summer focused on cultural strengthening, Aboriginal identity, health and wellbeing, cyber safety and drug and alcohol misuse prevention. The program partnered with the Community Development Officer and staff from BWAYS Koori Youth Justice Program.	Northern Metro Region and State-wide	\$50,000

Program	Organisation name	Description	Location	Funding
	Melbourne Aboriginal Youth Sports Association	The CARMS (Culture, Art, Recreation, Music and Sport) project targeted Koori youth aged 10-17 years. The program aimed to increase social engagement, build social skills and positive diversion activities that create an alternative to offending or at-risk behaviour. The program was delivered through cultural, art, recreation, music and sport activities through after school training sessions, delivered twice a week and five day a week holiday programs held over six weeks. CARMS partnered with Whitelion, Songlines Aboriginal Music Corporation and Fitzroy Stars.	Yarra and Darebin	NK

9.7. Informant interviews key findings – Northern Metropolitan

The main issue that has dominated discussion at the RAJAC since the commencement of AJA3 related to the poor relationships between police and community. Improving that relationship was a commitment rather than a structured place-based initiative but the manner in which it has been achieved reflects many of the ‘good practice’ components we have referred to above.

The design of the Aboriginal Case Management Review Meetings, likewise do not demonstrate a strictly place-based approach but the implementation of them does take account of the context of the area and brings together a range of service providers to offer a more holistic service.

These initiatives are discussed below.

9.7.1. Policing issues

Ongoing issues with policing have been raised consistently in interviews with many noting high levels of mistrust between police and members of the Aboriginal community. To address these concerns, the Northern Metropolitan region RAJAC embarked on a campaign to shift this situation. Subsequently, Police established the Northern Police Aboriginal Consultative Committee (NPACC), to drive and lead the Koori Family Violence Police Protocols and improve working relationships between Victoria Police and the Aboriginal community.

The NPACC is seen by Police as a useful mechanism by which to engage the community (and may be preferred over other mechanisms including the RAJAC, for specific local issues) as one RAJAC member noted during interview;

Police cautioning of young people wasn’t happening because people were unwilling to plead guilty – the RAJAC helped to educate the kids – it’s a good example of keeping kids out of the justice system.

Police attitudes have changed because of relationship-building – police and community, ACCO CEOs, ministers. Our attitude has changed too. I know some really good police. PALOs experience their own attitude changes and then they change others. The ACLO broke down barriers. We are a relationship people – knowing where the relationship is [that] is what’s important. (RAJAC member)

The relationship between police and the community was further supported through the implementation of pilot *Report Racism Initiative*, a collaboration between Victoria Police, VALS and VEOHRC.

This was a good project because Aboriginal people don't see themselves as victims and so don't report racism. Also, there's cynicism about lodging complaints, some small concerns about possible retribution, and sometimes not wanting to re-live an incident.

The *Report Racism Initiative* and cultural awareness training for police has brought significant returns in terms of improving relationships in the region. In addition, VACSAL is supporting the training of new recruits to Melbourne Assessment Prison (MAP), which gives trainees “a view of Aboriginal people that they won't see when they are working with Aboriginal people in custody”.

Other initiatives that are assisting in building stronger relationships include the *Dungulayin Mileka* (Blues and Brothers). This is an annual group bringing Aboriginal young people and Police together to form teams in the “Massive Murray Paddle”. Although initiated from outside the region it has been adopted as a priority in the Northern Metropolitan Region and funds have been allocated to support the ACLO and PALO to take part. Numerous examples are reported of Police and youth changing their opinion of each other over the course of the 4-5 days of the Paddle. A strong cultural element to the program connects the youth to traditional protocols and practices. A deeper personal connection among the participants and support workers is important for future community relationships. VACSAL are seeking funding to sustain annual participation in the event.

Also, the *Parkies program*, funded by the regional DHHS office, and involving Police, the Neighbourhood Justice Centre and CoHealth, responded to a specific local issue around public gathering places (and drinking) in Fitzroy and Collingwood.

9.7.2. Aboriginal Case Management Review Meetings

The Northern Metropolitan region was the first region to establish Aboriginal Case Management Review Meetings (CMRMs) for people on Community Correction Orders who are seen as at risk of non-compliance. CMRMs assist CCS case managers to develop and implement effective, tailored, culturally appropriate wrap-around plans. Participants in the face-to-face meetings include a CCS Aboriginal Case Manager and other case managers, a local Aboriginal Elder, DHHS disability and child protection officers, the VALS Local Justice Workers, the RAJAC's Executive Officer, the SALO and local community organisations. Presented cases are ‘unpacked’ collectively and the group devises a raft of strategies to address poor engagement and compliance.

CCS clients recounted their experience of case management. For example:

This order has been good – I told CCS when my uncle got sick and they were a bit flexible. I looked after him for 12 months through his brain cancer – he was living with us (me, my missus and my daughter, who's in Grade 1 now). Everything I'd done before helped me through that – I was a role model, an example, and it felt good. CCS have been more helpful recently too. For example, they had sent me to do community work at the cemetery where the funeral was, but they changed it because it was too stressful for me. I'm now doing things normally, not escaping through alcohol and drugs. I'm sorted out a bit in my head. I hear voices and I'm now on medication for schizophrenia, via VAHS. I also see a doctor in Coburg. (A, male)

Pleaded guilty and went to Koori Court. Elders knew me and knew my family. That made it worse. Got stripped by my elders. Overwhelmed and shocked. I broke down when the judge mentioned prison. He saw I was deeply sorry. Got 2 year sentence, finish next May. I welcomed a non-custodial order – AOD counselling, anger management. Very impressed with Aboriginal Case Manager. I'd like to see more Koori workers in Corrections. (D, female)

[After a long offending career] this CCO is the first. It has helped – I used to think Community Corrections people were like the gaol screws. I now realise these people are here in the middle to support us. This order has helped heaps. I didn't think I could come good. (A, male)

A CCS Aboriginal Case Manager describes the collective and holistic approach that is necessary and is fostered by such processes as the CMRMs:

I'm always putting out spot fires. This is consistent with what's occurred in their lives. I'm now dealing with three generations of one family. It's good that I now know the family. I do a lot of extra stuff on top of my role, working with the family as a whole, being across the other issues affecting them. It's always a struggle. And if one doesn't turn up for an appointment, neither do the others. Then I'll reach out to Dardi [Munwurro], or the VALS Local Justice Worker will do a home visit and see what's going on. (CCS Officer)

This comment about doing a “lot of extra stuff” is common across all of the Aboriginal workers we interviewed. Their role is not 9-5 on a week day. It is largely 24 hours a day, seven days a week.

There's increased awareness. Cultural awareness programs should be done annually as a refresher (I don't know how stringent that is). Having an identified position makes a difference. Having the Aboriginal CMRMs convened here has also put cultural matters on the radar for us. (CCS Officer)

Vignette of a parolee (by North Metro CCS case manager)

A serious violent offender has completed 11 months parole with us. In his forties, he had a long history of offending and of exposure to a culture of drinking in Victoria and WA. He is disconnected from his WA community.

He completed intense and in-depth [mainstream] Offending Behaviour Programs (OBP) in prison targeting offence-specific matters as a prerequisite for release on parole. Once in the community he was involved with Aboriginal services. VAHS picked him up and took him to multiple appointments. Recognising underlying schizophrenia and getting depo shots was crucial. Deluxe treatment was crucial. Without it he would have gone backwards.

How do we judge success? In the case of this man, the bare minimum would be achieving some insight, some realisation about what influenced his decision-making. Linking this to the likelihood of reoffending is a long bow to draw: it's a success if he walks away with at least some skills or insight for managing his own behaviour. Situations are complex. We address the key things. But there's a lot to be done with men around culture, the spiritual side, and understanding the barriers.

Determining the success of place-based initiatives like the CMRMs does not rest on shifts in whole of community indicators. For complex and entrenched issues that are being dealt with in the management of Aboriginal offenders in the community it is the individual successes that matter. The story of the 40-year-old offender above should be celebrated as a real achievement. And given the relational basis of Aboriginal culture, the success of this one man has the potential to be multiplied across the community as he shares his achievement with others.

9.7.3. Future directions in the Northern Metropolitan region

Although the introduction of CMRMs is having a positive effect in assisting offenders on CCOs, suggestions for improvement or growth arose from the consultations. Interconnected issues are: access to Aboriginal programs, coordination of the response to clients, and availability of community resources. Additionally, workforce development requires ongoing attention.

In terms of new initiatives, implementation or expansion of diversion options for younger offenders is seen as a local priority. It was hoped that the AJA would continue, and that RAJACs would be maintained at a regional level. To build the capacity and influence of the RAJAC some intensification of the EOs role in program coordination was recommended.

Availability of Aboriginal programs

Some frustration with access to culturally specific programs was expressed in the consultations:

Program availability isn't as consistent as we would like and we've struggled. Then in the last three months we have had so many invitations to send people to programs but we can't necessarily respond because it's a timing thing, the location, whether there's child care, and things like that. We can go six months with nothing, then we are suddenly under pressure to facilitate referrals to programs. (CCS Officer)

Culturally specific programs are available and we've tapped our clients into them, but often they are not run if there are insufficient numbers. So, we then look at individual counselling through private psychologists or other community-based programs. So, there are some opportunities for growth there (CCS Officer)

A CCS Case Manager and prison staff suggested that it would be helpful if the facilitators of community programs could reach out to meet clients to introduce the program rather than simply expecting a referral. This could help to address the 'discontinuity' referred to earlier where 'information stops at the gate'. It also highlights that the approach taken by the CCS Case Manager in Geelong where he met his client at one of her other appointments is the exception and not the rule.

There are opportunities to improve coordination of Corrections and some KJU programs and the extent to which the Aboriginal service sector works as an integrated network.

Coordination of the response

Information flow

Case managers expect information about clients to be shared appropriately by prison staff prior to a prisoner's release and by community providers during the period of a community corrections or parole order. Coordination of contact between those people with a significant role in a client's journey is reported to be difficult, as the following statements from CCS Officers attest;

Issues with staff in prisons, where they are struggling to find ALOs [Aboriginal Liaison Officers] and AWOs [Aboriginal Wellbeing Officers], so there's a lot of pressure on those in the roles. I struggle even to contact the different prisons and it's sometimes quite difficult. (CCS Officer)

It's hard to obtain info about attendances and engagement in the community programs so that we can assess risks. (CCS Officer)

Local Justice Workers also reported sometimes having little or no prior information before meeting a CCS client. Clarity and consistency of goals was reported as in need of work – and time:

I'm going to be a bit more controversial and say there's a disconnect between us and partner agencies – it's fragmented, different philosophies, different objectives. Resourcing is always an issue. We could work more collaboratively with partner agencies. Our expectations sometimes don't mirror each other, and they work on a different framework. e.g. Around treatment services, we expect an episode of treatment and they might not have the same definition and we often come to different conclusions about how the person is progressing. (CCS Officer)

Community organisations - barriers

Resource limitations and competition for funding are endemic features of the community services sector.

Our organisation is funded for welfare and support but we never have enough to do the job properly – we deal with the needs at the time, not the real problems. (RAJAC member)

Competition for funding is an issue for community organisations. What does it do for those who don't get the funds? The short timeframe to respond to a funding round makes it difficult to work collaboratively with other organisations. There is a disincentive to collaborate. Organisations are working on getting rid of silos but we find ourselves doing it. (RAJAC member)

For some, the problem is insufficient ownership of offender rehabilitation:

Other community agencies need to come on board, e.g. by accepting offenders to do community work. They say they don't have resources to dedicate to supporting the person. But we need to change the thinking to broader ownership by the community. (CCS Officer)

Workforce development

Police and CCS staff pointed out the need for ongoing cultural training. CCS staff emphasised the need for all case managers (not just the Aboriginal case managers) to have the knowledge and skill to work with Aboriginal clients – this became obvious when an Aboriginal case manager was on extended leave.

We need to build cultural competence across all staff, beyond basic cultural awareness and the historical story. Being comfortable to ask people what their story is and who is their mob. It's noticeable when case managers don't have that knowledge and skill. (CCS Officer)

Diversion

Early intervention to divert offenders from prison was a priority for many stakeholders:

Once they've gone to gaol the chances of them returning are greater, for all of them but particularly young Koori men. Keeping them out in the community leads to better outcomes. (CCS Officer)

AJA governance

While stakeholders were keen to see the AJA continue to maintain the momentum achieved to date. There was a question around how close the RAJAC EO was expected to be to local program coordination and delivery, and whether this part of the role could be strengthened. EOs are already under-resourced and time poor, so adding another layer to their already wide-ranging role is likely only to lead to burn-out. There is an opportunity to revisit the role of the EO and investigate whether it does need to expand into a program delivery function. It is doubtful it could be achieved without better role definition and strengthened resources.

10. Southern Metropolitan Region

10.1. The Place – About the Southern Metropolitan Region

The Southern Metropolitan Region covers the area from South Melbourne down to the Mornington Peninsula and east to Melbourne's growth corridors of Casey and Cardinia.

The region comprises 10 local government areas of Melbourne's south-eastern suburbs and comprises an area of about 2,886 square kilometres. The total population at the 2016 census was approximately 1.46 million people, representing about one-quarter of the state's total population. The total Aboriginal population living in the region was 7,277 but with over 80,000 census respondents not stating their Indigenous status we expect that the actual Aboriginal population is significantly higher.



The City of Frankston has the highest proportion of Aboriginal, comprising 1 per cent of the total LGA population. The City of Casey has the highest total population and the highest Aboriginal population of all the region's local government areas.

Table 10-1: Aboriginal population of Southern Metropolitan Region (ABS Census data 2016).

Local Government Authority	Total Population	Aboriginal	Non-Aboriginal	% Aboriginal
Bayside	97,092	188	96,905	0.2%
Cardinia	94,130	782	93,352	0.8%
Casey	299,296	1,617	297,679	0.5%
Frankston	134,144	1,346	132,809	1.0%
Glen Eira	140,875	256	140,624	0.2%
Greater Dandenong	152,052	511	151,532	0.3%
Kingston	151,389	577	150,809	0.4%
Mornington Peninsula	154,996	1,303	153,692	0.8%
Port Phillip	100,863	398	100,470	0.4%
Stonnington	103,831	306	103,525	0.3%
TOTAL	1,428,668	7,277	1,421,397	0.5%

The total population of the region has grown considerably over the past ten years with an increase of close to 22 per cent. The Aboriginal population has grown by more than 60 per cent over the same time period, increasing from 4,273 in 2006 to 7,266 in 2016.

The region's communities are numerous and diverse, including rapidly changing inner urban communities and outer suburbs with significant population growth.

Half of the population of the region is aged below 25 years and a significant proportion aged under ten years. This population profile has important implications for justice planning as there is a large proportion of the population who would benefit from early intervention strategies that will assist in

keeping them out of the criminal justice system in later years. The population pyramid below shows the age distribution of Aboriginal men and women in the region.

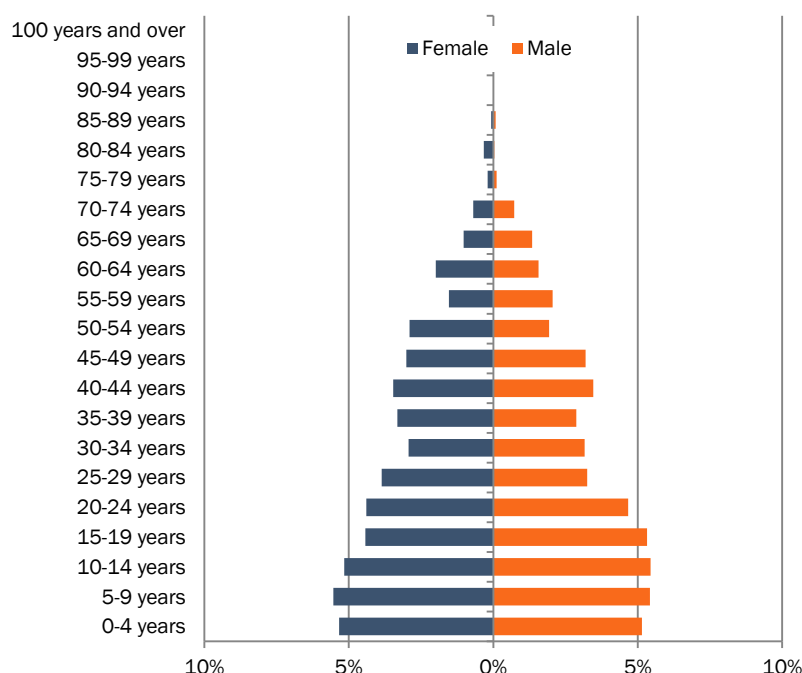


Figure 10-1: Age distribution of Aboriginal population in Southern Metropolitan Region (ABS Census data 2016)

Educational attainment across the region is comparable to the state with about 33 per cent of Aboriginal people having achieved Year 12 (36% for Victoria). About 5.5 per cent of the Aboriginal people aged 15 or older has a Bachelor's degree (compared to 6.2 per cent of the same cohort across Victoria).

The region has a diverse economy with manufacturing, health and retail trade the largest employing industries in the region.

10.2. Aboriginal people in the Southern Metropolitan Region

The traditional owners of land in and around Frankston are the Bunurong (or Boon Wurrung) and Wurundjeri people. The Bunurong people are Indigenous people from south-east Victoria, their traditional lands are from the Werribee River in the north-west, down to Wilson's Promontory in the south-east, taking in the catchments of the old Carrum swamp, Tarwin River and Westernport Bay, and including Mornington Peninsula, French and Phillip Islands.

The Wurundjeri People take their name from the Woiwurrung language word '*wurun*' meaning the Manna Gum (*Eucalyptus viminalis*) which is common along '*Birrarung*' (Yarra River), and '*djeri*', the grub which is found in or near the tree. Wurundjeri are the 'Witchetty Grub People'. The territory of the Wurundjeri lies within the inner city of Melbourne and extends north of the Great Dividing Ranges, east to Mt Baw Baw, south to Mordialloc Creek and west to Werribee River.

10.3. Justice issues in the Southern Metropolitan Region

In a focus group discussion with members of the Southern Metropolitan RAJAC the two main issues contributing to offending behaviours in the Aboriginal population were reported as being the

fragmentation of the community and the lack of Aboriginal service providers. The region has the largest Aboriginal population of any region in the state, at over 7,200 in the last census. It is a region that experiences seasonal population flows with an increase in the number of people moving to areas like St. Kilda and other metropolitan beach-side suburbs during summer months. There is also a relatively high number of people living in the region who are not 'on country' but have travelled from other parts of the state to live closer to the metropolitan hub of Melbourne. As a highly populated region, the Southern Metropolitan region has a lack of affordable housing and many Aboriginal families are living in crowded conditions, which is contributing to conflict and family violence incidents. The lack of housing is also contributing to a high level of homelessness.

Some of the other justice issues discussed at RAJAC meetings include the use and abuse of alcohol and other drugs, with a particular concern for increasing use of the drug ice (methamphetamine) by young people, and heroin amongst the older population. The adverse effects of problematic drug use have been especially felt in the more highly urbanised and densely populated areas, for example, on the Prahran housing estate.

I'm sick of seeing young fellas being locked up. I know that I and others do great stuff but it's not enough. In Prahran there is no gathering place, no community we are dealing with inter-generational drug use and drug dealing – there is no community there. It's a long road (RAJAC member)

There is also some concern with the number of Aboriginal children and young people in contact with the child protection system and in out of home care. The successful reintegration of these children back into the community is seen as one avenue to addressing criminal offending behaviour. Overall, the RAJAC has adopted a strong focus on youth issues to respond to the "small number of repeat offenders" who have no strong links to culture and are banding together to offend in groups (RAJAC member).

One further issue often discussed at RAJAC meetings is the low rate of police cautioning in the region. Police have advised that this is due in large part because alleged offenders are receiving legal advice to make no comment in interview. Police are unable to issue a caution as they need the offender to admit to the offence. The advice is being given to stop alleged offenders from possibly incriminating themselves but has an adverse effect in that they are then held in custody.

VALS are notified when Police take an Aboriginal person into custody but because they do not have a permanent presence in the region advice is often given over the telephone and alleged offenders can sometimes face delays in obtaining legal representation. This may also explain why there are a reportedly high number of people attending court without representation.

The *Southern Metropolitan Closing the Gap Health Plan (2009-2013)* published by the Victoria Department of Health identifies issues with access to health services in the Southern Metropolitan region given there is only one ACCHO (Dandenong and District Aborigines Cooperative) and that organisation mainly serves only three of the 10 LGAs in the region (Casey, Cardinia and Greater Dandenong). This limits the primary health care choices available to Aboriginal people and heightens the need for mainstream services to be culturally safe, competent and responsive. In fact, the region is under-represented by Aboriginal organisations across the board with only one ACCO, the Victorian Aboriginal Child Care Agency (VACCA) and the specialist drug and alcohol rehabilitation and outreach support service provider, Ngwala Willumbong.

While the focus in the *Closing the Gap Health Plan* is necessarily on health, the lack of Aboriginal organisations in the region also has an impact on the delivery of justice services. In regions with a strong network of Aboriginal service providers there is a greater opportunity for culturally appropriate services to be offered to, for example, offenders on CCOs with conditions to attend AOD, mental

health or offending behaviour treatment programs. In the Southern Metropolitan region, the demand for culturally appropriate services is difficult to service given the few Aboriginal organisations available to deliver them.

The DHHS Southern Region staff interviewed for the evaluation noted their tendency to use mainstream family violence programs in the absence of effective Aboriginal programs. These are not considered entirely appropriate for many Aboriginal people. They add;

The few organisations that do offer culturally specific programs tend to be over-referred to and their case management load becomes almost unmanageable

Analysis of RAJAC meeting minutes suggest that, as elsewhere, the region has faced considerable difficulties in recruiting Aboriginal people to many of the liaison roles including the Local Justice Worker, Koori Community Engagement Officer at the Dandenong Magistrates' Court, Sheriff's Aboriginal Liaison Officer and, for a period, in the Police Aboriginal Liaison Officer role. The period of the AJA3 has seen a relatively high turnover in these roles with some personnel taking other positions within the organisations that are hosting them. A Local Justice Worker is employed by the Victorian Aboriginal Legal Service but, it is understood, the Worker is not often in the southern region (RAJAC Member).

10.3.1. Police data

Data referred to below is from the Crime Statistics Agency Aboriginal Justice Indicators – Victoria Police dashboard and covers the period 1 January 2012 to 31 December 2016 unless otherwise stated.

Police data crime data by offence type shows the highest rate of offending in the Southern Metropolitan region relates to 'property and deceptions' offences. This includes offences such as property damage, burglary/break and enter, theft, arson, deception and bribery. In 2016, these offences occurred at a rate of 175 offences per 1,000 population. The next most prevalent offence types are against justice procedures including breaches of orders (64.3 per 1,000 population) and crimes against the person (55.5 per 1,000 population).

As shown in Figure 10-2, property and deceptions offences have been showing an increasing trend over the past five years.

Although the data does not confirm it, police in the Southern Metropolitan region have noted an increase in family violence offending. They suggest that this may be due to a lack of understanding by many family violence perpetrators as to what a Family Violence Order is and what it means to be the recipient of one, and also the types of contact that constitute a breach of contact (e.g. telephone calls). The Dandenong Aboriginal Family Violence Police Protocols were released in May 2016 and may have assisted in minimising an increasing trend in family violence incidents.

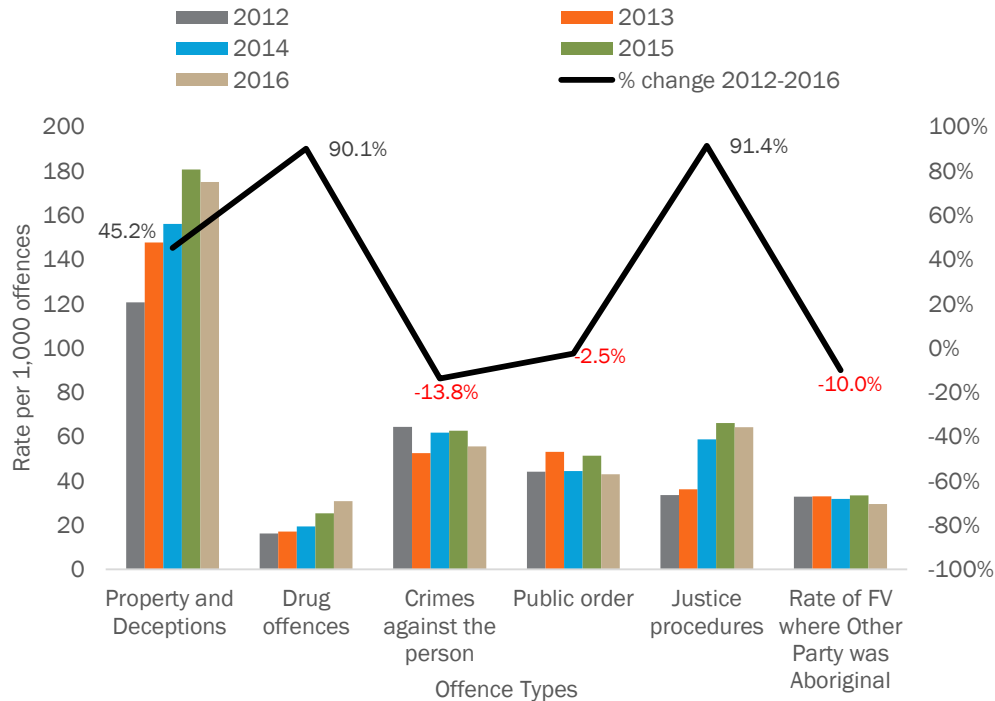


Figure 10-2: Offence type trends Southern Metropolitan region (2012-2016)

10.3.2. Community corrections

Between 2012 and 2017 the offender population on CCOs has increased by close to 60 per cent largely as a result of an increase in the number of males on CCOs. There were 70 males on CCOs in 2017 in comparison to 43 in 2012. The increase for female offenders has seen the numbers grow from 13 in 2012 to 19 in 2017. With 89 offenders on CCOs, the Southern Metropolitan region has the lowest numbers of the four regions of this study. Most CCOs are accumulated in the 25 to 34 year age group (44.9%) with the same proportion (22.5%) in the Under 25 year age group and the 35-44 year group.

The majority of orders (78.7%) are supervised court orders and 20.2 per cent of offenders are unsupervised. There was only one parole order in 2016/17, confirming that few Aboriginal prisoners are being released to parole. Close to 30 per cent of orders are fine orders. There were 30 CCO imprisonment orders, a significant increase from the five in 2012/13. Half of all orders in 2016/17 were of 7 to 12 months duration and about a third were of 6 months or less.

Of the community orders served in 2016-17, half had a community work component, 76 per cent included at least one AOD treatment condition and close to 65 per cent included a mental health treatment condition and/or a requirement to attend a program to reduce offending behaviour. The proportion of CCOs with a mental health treatment condition is about 10 per cent higher than the state proportion. Similarly, the proportion of justice plans is significantly higher in this region. These higher rates of issuing an order with a mental health treatment or justice plan component is likely to have ramifications for the CCS offices and service providers in the region. Over the past five years there has been an increasing trend in these treatment and rehabilitation conditions on CCOs.

Successful completion rates for orders of all types are currently sitting at around 42 per cent, the lowest completion rate in the state. Successful completion by males (37.3%) is far lower than that of females (69.2%) and very low for offenders under the age of 25 (16%). The disparity between male and female order completions is not seen in any other region. The most common reason for failing to complete an order in 2016/17 related to the commission of further offences combined with breach of

conditions (44.1%) for those on supervised orders, and the commission of further offences (50%) for those on unsupervised orders.

Data for 2016-17 show the largest proportion of orders were issued for a most serious offence of assault (36.8%) and driving offences (20.5%) followed by 'other property' offences (17.4%).

10.3.3. Youth justice community orders

The Youth Justice Service presents data to the AJF at each forum. According to the report delivered to AJF49 in October 2017 and for the period 30 June 2016 to 30 June 2017, the average daily number of young people on youth justice community orders in the Southern Metropolitan region was as shown in the table below.

Table 10-2: Average daily number of young people on youth justice community orders Southern Metropolitan region, by gender (2015-17)

Year	Aboriginal		Non-Aboriginal		Not known	Grand Total
	Female	Male	Female	Male		
2016-17	0.0	10.4	16.2	52.5	0.0	79.2
2015-16 ³³	1.9	9.3	11.2	14.3	123.3	137.6

The table below shows the age distribution of Aboriginal young people in the Southern Metropolitan region who were on youth justice community orders in the 2016-17 period. No female offenders are recorded in the data for the Southern Metropolitan region for the 2016-17 period. Male offenders on orders are mostly aged between 15 and 17 years.

Table 10-3: Average daily number of young Aboriginal people on youth justice community orders, by gender and age – Southern Metropolitan Region (2016-17)

Region	Female			Male				Total
	12-14	15-17	18+	10-11	12-14	15-17	18+	
NWM	0.0	0.0	0.0	0.0	0.4	6.2	3.9	10.4

10.4. Community organisations in the Southern Metropolitan Region

The **Dandenong and District Aborigines Co-operative Ltd (DDACL)** was established in the 1970s by families in the local area who saw the need to provide support for the growing Koori community. Initially supported by the then Dandenong City Council, DDACL later expanded its program of services with assistance from the Victorian Aboriginal Health Service. DDACL now has two main funding streams - Indigenous & Rural Health Division and Department of Health and Human Services along with other minor funding.

DDACL is the principal Aboriginal organisation in Southern Metro delivering social and community services programs such as home and community care, family services, Youth and Youth Group Program, includes Boys on the Bounce and Girls on the Go, Aboriginal Best Start. They also deliver primary health care, maternity services and allied health and ITC programs. DDACL plays a prominent role in the region as the only ACCHO and is routinely in the position of auspicing funds for external groups to deliver services to the Aboriginal community, including the Indigenous Family Violence Regional Action Group and Aboriginal Community Justice Panel.

³³ Data sourced from Youth Justice Data Report presented to AJF46, Ballarat

DDACL is represented on the Southern Metropolitan region RAJAC by the CEO. Additionally, the current Chair sits on the RAJAC in his role as Police Aboriginal Community Liaison Officer at Dandenong.

The **Victorian Aboriginal Child Care Agency (VACCA)** is an accredited organisation providing programs and services to Aboriginal children and families across Victoria. Headquartered in Preston (Northern Metropolitan region), VACCA has southern offices in Dandenong and Frankston. Southern VACCA serves a community extending from the southern suburbs around Dandenong all the way into the Mornington Peninsula. The agency provides early intervention and family services, a referral service across a range of domains, and offers training to external organisations. VACCA is represented on the Southern Metropolitan RAJAC.

Ngwala Willumbong Ltd provide specialist alcohol and drug rehabilitation and outreach support services to the Aboriginal communities of Victoria. Based in St Kilda the service offers four recovery centres for men and women and a range of outreach programs. Koori Youth Justice Workers are employed to provide intensive case management support Aboriginal young people who are at risk, or subject to, statutory court orders. In addition, the KYJ Workers also link young people into specialist services including medical, education and/or training, housing, and counselling. They also co-ordinate regular weekly group activities - currently art therapy, basketball and participation in the *YSAS REVAL Program* in Dandenong.

An Indigenous Integrated Family Violence Case Management Support Worker is located at Ngwala Willumbong to provide referral and case management of Aboriginal men, as part of the Integrated Family Violence Services System (IFVSS) for the Southern Metropolitan Region.

Ngwala is represented on the RAJAC.

Bunjilwarra is a 12-bed residential rehabilitation and healing service situated in Hastings for Aboriginal young people (male and female) aged between 16 and 25 years. It offers a voluntary program for young people to manage their alcohol and other drug issues through active participation in therapeutic and structured programs designed to assist them, to develop their living skills, and to strengthen their cultural identity and spiritual wellbeing.

The program, based on recovery principles, is staged and allows the residents to move through a Care and Recovery Plan at their own pace with short and long-term goals, and a community connection and reintegration component which involves active involvement of the community they will be returning to. Bunjilwarra offers post discharge support, especially with youth AOD service agencies and ACCHOs, including assistance to (re)connect with the Aboriginal community, access to safe, secure and affordable accommodation, links with education, training and employment, and ongoing access to relevant services.

Bunjilwarra is not a member of the RAJAC.

Although not based in the Southern Metropolitan region, many offenders make use of, or are referred to **Wulgunggo Ngalu Learning Place** in the Gippsland Region. Participants at the Learning Place live on-site for between three and six months where they are able to participate in employment, education and life skills programs and comply with their community work obligations. Community work is usually done on site. The aim with the Learning Place is to assist offenders to transition back to life in the community.

VALS, based in Preston, offers legal support but does not have a site in the region..

YSAS, Youth Support and Advocacy Service, is a mainstream service provider with a site in Dandenong. Services provided at this site include youth outreach, AOD services and some primary health services. The REVAL Day Program based in Dandenong is a structured program for young

people aged 14-21 with AOD issues to assist with developing social, emotional and intellectual skills. The 'Aboriginal Rec Program', facilitated in conjunction with Youth Justice and Ngwala runs out of the YSAS building which has assisted YSAS to become a more culturally safe space for young people, broadening their access to mainstream AOD services. Young people have then been supported to access the Healing Centre or other AOD supports.

10.5. Justice services in the Southern Metropolitan region

In addition to the DJR Regional Office located in Dandenong, justice service centres can also be found at Rosebud, Frankston, Moorabbin, Box Hill, Lilydale and Ringwood. These centres offer services such as Births, Deaths and Marriages and Community Corrections Services (CCS).

The Dandenong Children's Koori Court opened in 2014 and a Koori Community Engagement Program operates out of the Dandenong Magistrates' Court.

The Koori Youth Justice Program delivers the following programs in the Southern Metropolitan region:

- Community Based Koori Youth Justice Program delivered by Ngwala Willumbong in Dandenong area, and the Mornington Peninsula
- Koori Intensive Support Program

A Koori Intensive Support Practitioner is located within the DJR at Bayside Peninsula servicing Frankston.

VALS provide an outreach service in Dandenong from their central Melbourne office.

Victoria Police employ an ACLO who is based at the Dandenong office and who services the whole of the Southern Metropolitan region. This officer helps to support the Dandenong Koori Family Violence Police Protocols which covers the local government areas of Dandenong, Cardinia and Casey.

10.6. Current community grants funding in the Southern Metropolitan Region

The Doveton Aboriginal Gathering Place (Casey) is currently funded to provide the Local Justice Worker Program in the Southern Metropolitan region.

The Local Justice Worker Program provides case management support for Aboriginal offenders to manage fines and outstanding warrants, and successfully complete community based orders to reduce breach rates

Organisations in the Southern Metropolitan region have also been successful in receiving grants funding through the Frontline Youth Program, Community Initiative Program and through the Koori Youth Crime Prevention Grants (funding from the Crime Prevention Unit) and Place-based Targeted Grants as shown in

Table 10-4.

Table 10-4: Current Community Grants Funding – Southern Metropolitan –

Program	Organisation name	Project description	Location	Funding
Frontline Youth Initiative	VACCA	Strong and Deadly Koori Youth Program	Southern Metropolitan region	\$330,000
Community Initiative Program	Willum Warrain Aboriginal Association	Right Way, Strong Way	Hastings	\$114,544
Koori Youth Crime Prevention Grants	Ngwala Willumbong	Ngwala Youth Program targeted Koori youth from the South Metro Region who are in contact or at risk of contact with the justice system. The program will create culturally safe opportunities to participate in structured positive lifestyle activities, diversionary activities, cultural strengthening, employment readiness, health and wellbeing and independent living skills education. Activities will be delivered on a weekly basis with key partners including AFL Reclink, government departments, justice services, local ACCOs and Aboriginal community members	Southern Metropolitan region	\$147,900
	Ngwala Willumbong auspiced by St Kilda Police Citizens and Youth Club,	The Koori Youth Bootcamp program was designed to target Koori Youth aged 12- 25 years living in the Cities of Port Phillip and Stonnington. The aim of the program was to increase awareness of health and wellbeing practices and to create healthy lifestyles through Koori Youth Bootcamp training sessions. The sessions will create an opportunity for the young people to meet on a weekly basis in a supportive environment. The program will create an alternative to offending and promotes positive interactions and community connectedness. The program will partner with local health organisations and Koori Youth Workers.	Port Phillip and Stonnington	\$24,000
Place Based Targeted Grants	Frankston City Council	Cultural, Community, Career Connections for Young Aboriginal, Maori and Pacific Islander Adults in Frankston North	Frankston North	\$200,000
	Jesuit Social Services Limited	Connections	Doveton	\$149,000

The region also received an allocation of \$40,000 from the Frontline/CIP funding pool to be used to progress actions related to their RAJAC Action Plan. Spending allocation of this allocation for the 2014/15 period was reported to the AJF and is shown in Table 10-5 below.

Table 10-5: 2014/15 Discretionary funding allocation spend - Southern Metropolitan (Source: Southern Metropolitan RAJAC Agenda Paper to AJF42)

Action Plan Reference	Amount	Activity	Details
Objective 1- Crime prevention and early intervention	\$10,000	Support Community Programs	Allocated to the Family Violence Legal Prevention Service
	\$5,000	Cultural Identity Building	Mornington Secondary College indicated to Baluk Arts that there were 30 Koori students attending the college and that they were increasingly disconnected from their culture and community. The college worked in partnership with Baluk Arts to engage, connect and build the cultural identity of these students
	\$6,000	Connection Knowledge Engagement	Inner South Community Health program for disengaged young people
1.1.1 Support families to manage youth at risk	\$6,000	Mechanisms to engage parents/ family members in support programs for youth at risk	Allocated to Southern VACCA to support the implementation of their <i>Dad's Program</i>
2.2.3 Continue to improve the relationship between the police and the Koori community	\$5,000	Cultural awareness activities, Victoria Police	Used to improve police cultural awareness for VicPol and other agencies to develop coordinated cultural awareness opportunities; and exploring and developing informal cultural exchange and yarning camps between VicPol and the Koori community
2.4.1 Assist Koori offenders to meet the conditions of their Community Correction Orders	\$6,000	Develop specific programs for Koori women on Community Correction Orders	Used to develop specific programs for Koori women on Community Correction Orders – allocated to the Family Violence Legal Prevention Service.

Funding in subsequent years from this allocation as well as from DJR Regional Office discretionary funding has assisted in the delivery of the following initiatives:

- *Family Violence Prevention and Legal Service (FVPLS) Young Luv workshops* – Three Young Luv workshops were delivered by FVPLS to young Aboriginal women and address healthy relationships and safety when dating.
- *Koori Youth Leadership Program* – a 12-month Youth Leadership Program was delivered in partnership with the Building Stronger Youth regional coordinator. The program included an urban-exchange to Redfern, New South Wales and monthly gatherings.
- *Doveton Koori Homework Centre* – DJR Southern Metropolitan funded a Koori Homework Centre based at the Doveton Aboriginal Gathering Place. The Homework Centre provides local Koori youth with access to a tutor (an Aboriginal university student), internet, dinner and a positive cultural environment.
- *Dandenong Koori Auskick* – DJR Southern Metropolitan provided financial support to the Dandenong Koori Auskick program to enable parents to undertake level 2 coaching training and will explore further opportunities to support the program.

- *Sisters Standing Together Workshop* – DJR Southern Metropolitan funded FVPLS to deliver a Sisters Standing Together workshop specifically to Aboriginal women from across the South East Metropolitan region on a CCO and fine default orders. The workshop included well-being activities, access to relevant support services and a community legal education session.

Key informant interviews have noted the difficulty in attracting funding in a region where there are few ACCOs, as captured in the following comment;

[we] can't deliver through [the ACCOs] because they're already focused on something else. Even if a mainstream service wants to deliver services for Aboriginal people they need to tap into an ACCO or gathering place to make sure it is culturally appropriate. We had a few programs in the past where we've had mainstream organisations apply and they had a lack of participation (ACCO representative).

Another funding issue identified during informant interviews is the short-term nature of funding where organisations are having to deliver programs in a 12-month period and then report on the outcomes or impacts that have been achieved. Given the types of issues that are being addressed with the program funding it is unrealistic to expect any noticeable impacts to have occurred over that period.

10.7. Informant interviews key findings – Southern Metropolitan

10.7.1. The importance of Gathering Places

A report prepared by the City of Port Phillip provided insights into gathering places in the urban south region of Melbourne (City of Port Phillip (2015) *Where do you mob want to meet up? Urban South Indigenous Gathering Place Report 2014/15*, City of Port Phillip). The study explored the “concept of ‘gathering’ by Aboriginal and Torres Strait Islander people in an inner-city environment and identifies the importance of partnership and shared goals in relation to the advancement of health and wellbeing outcomes through integrated and culturally responsive service settings” (p.3).

In Indigenous communities, culturally sensitive places are essential in fostering trust and belonging. Culturally sensitive places can nurture pathways and linkages to services and supports through the generation of trusting relationships which make referrals and connections easier. Having such dedicated places for Aboriginal people strengthens cultural identity and offers greater visibility within the broader mainstream community. Culturally sensitive places will become settings for people to meet new people and reconnect with old friends and family. Through this process networks form and often extend beyond the physical setting.

In a similar vein, DHHS commissioned a number of evaluations of their *Koolin Balit Investment* in 2015 with one focusing on the Gathering Place Model in Victoria. The University of Melbourne was contracted to complete this evaluation and provided their findings in 2016. The evaluation studied 13 gathering places across the state including Willum Warrain, in Hastings. They refer to this as an example of a ‘site-specific hub’ which offer “ongoing community engagement and capacity, multiple programs and activities, multiple staff members, established links with mainstream service providers and strong community governance mechanisms” (Indigenous Health Equity Unit, University of Melbourne 2016).

A conceptual model for a successful gathering place was created encompassing four key enablers and nine overarching principles. The authors argued that a gathering place supported by these enablers and successfully adopting the principles, should necessarily lead to health and wellbeing impacts and other outcomes. The model symbolises the role of a bird’s nest or ‘home’—in this evaluation gathering places have frequently been referred to as ‘home’ and have been seen as a

'safe place' providing support and connection. This program model is shown in Figure 10-3 below (Sourced from the final evaluation report).

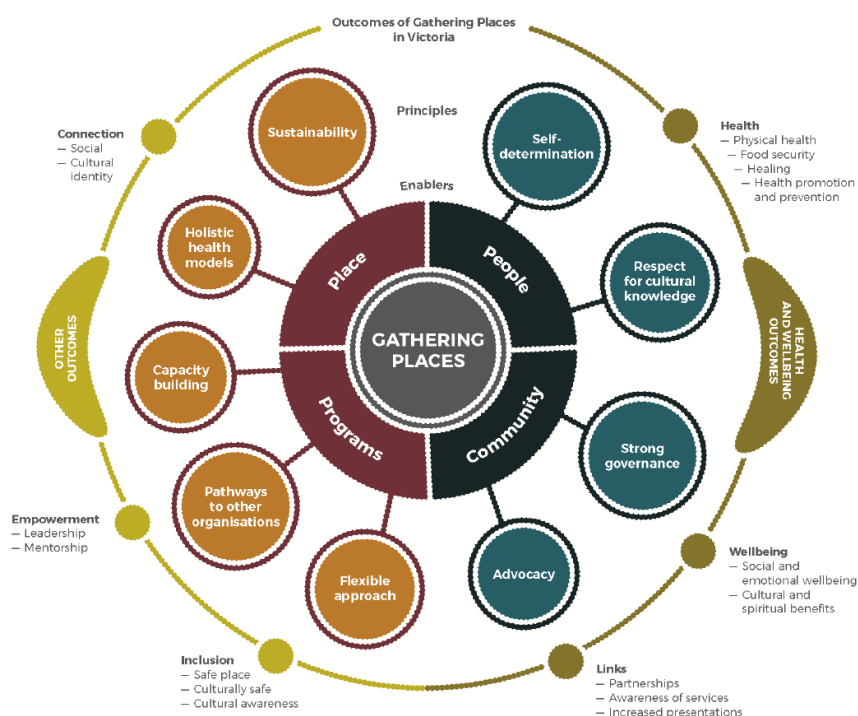


Figure 10-3: Gathering Place Model (Source: Indigenous Health Equity Unit, University of Melbourne (2016))

Some of the key findings from the evaluation indicate that the Gathering Places that were investigated have delivered a positive impact on Aboriginal health and wellbeing with improved physical health, social and emotional wellbeing, social connectedness and strengthening of cultural identity. Each of these outcome areas are well-known to be protective factors against reoffending and would therefore be contributing to achieving the aims for the AJA. Gathering Places offer a site where initiatives can be developed and executed that take account of the local context, specifically the needs of, and resources available at the local level.

The evaluation did also highlight some of the challenges faced by Gathering Places, and these have been raised during our interviews in the Southern Metropolitan region. Those issues include: Gathering Places tend to be reliant upon short-term, sometimes project-based funding which hinders program continuity and community development; they tend to operate in isolation of one another making information sharing about good practice, and simply for the benefit that support can offer, is difficult; they also operate outside the usual boundaries of government agency experience and are thus misunderstood and have difficulty in gaining the legitimacy they deserve from government.

An example of Gathering Place – Doveton

A focus on the activities at one of the Gathering Places gives an idea of the breadth their contribution. The Southern Metropolitan RAJAC EO worked closely with the co-ordinators of the Doveton Gathering Place in the City of Casey to support the establishment of a **homework group**. Students who attend the homework group receive homework support from Aboriginal students enrolled at a local tertiary institution (e.g. Monash University) as well as volunteers from the community. Those who attend are also provided with a meal. The initiative has been supported financially by the DJR Southern Region office. During a focus group discussion with RAJAC members convened for this evaluation, the homework club received strong support and positive feedback from DHHS and Department of Education and Training representatives.

The Gathering Place at Doveton offers a **breakfast program** to children in the area who can go to the centre around 06:30am before school and have breakfast, take a shower and get ready for school. This simple program is said to be having good results and is “keeping kids out of trouble” (RAJAC member). The fact that the Gathering Places are able to adopt flexible opening hours gives them an advantage over other ACCOs that may operate on a more strictly business hours arrangement. This is one of the reasons that the Gathering Places are seen as more accessible and responsive to community.

Our Youth program has undertaken an early morning program this last year and it has been quite successful with young people on the brink of more serious contact with VicPol ([Victoria Police]. The program has engaged those young people and others to participate and this has been a great credit to the Youth Worker and the BoB Worker. The young people are picked up between 6:00 am to 6:30 am and taken to a venue to participate in a fitness or physical activity, and then are taken to the Casey Aboriginal Gathering Place in Doveton for breakfast, and then are taken to school where it has shown proof positive that their school attendance is up, they are learning better (healthier and happier) and things are better at home. This is an all-around win for the young people and the team supporting them (ACCO informant).

A number of community justice events have been held at the Doveton Gathering Place (as well as Dandenong and District Aborigines Cooperative) where staff from Victoria Legal Aid, Births Deaths and Marriages, Consumer Affairs and the Sheriff's Aboriginal Liaison Officer are available to provide advice and information to any interested community members. The events have been said to be well attended and help to build trust between the community and justice agencies. There is a commitment from the representatives of the justice agencies that the events are purely for information provision and community members should be free to discuss any matter. Specifically, if a community member has an outstanding warrant or fine, they will not be taken in to custody at that time.

The Doveton Gathering Place has been the site of at least two community work programs specific to male and female offenders on community orders and is seen as offering a space where people are more inclined to complete their orders than others that have been used in the past.

The Doveton Gathering Place is also a key partner in the delivery of the **Kulcha Konnect** program funded through a Place-based Crime Prevention grant. The project is a partnership between Jesuit Social Services and the Dandenong and District Aborigines Cooperative with a focus on Aboriginal youth with a connection to the Doveton area at risk. This 11-week Cultural Awareness and Leadership program seeks to build participants':

- Connection to self, family, community and culture
- Understanding of respectful, healthy relationships
- Cultural awareness, leadership and mentoring skills
- Protective factors that reduce and influence offending

A Milestone Evaluation completed by Urbis (2017) for Jesuit Social Services in June 2017 reported on the outcomes for 15 Koori youth³⁴ (nine male, five female, one undisclosed) aged up to 25 years who had participated. Four participants were, at that time, in contact with DHHS child protection services, 12 participants were disengaging from school, three were not enrolled in school, nine had substance abuse/misuse issues either personally or indirectly and one experienced periods of 'couch surfing'.

When asked about their connection to culture 13 participants agreed or strongly agreed to the statement “I feel more connected to my culture since starting the program”. The evaluation report

³⁴ The number of people engaged with the program was reported as 27 as at December 2017 (reported in the Southern Metropolitan report to AJF49)

also includes a case study on the changes experienced by one participant. This case study is replicated below (Box 10-1).

The Kulcha Konnect program has been well-supported by the Doveton Gathering Place since its inception and the links provided to other initiatives at the Gathering Place (e.g. the Homework Club) are providing useful synergies for participants. It also provides a safe and culturally appropriate venue where Aboriginal children and young people feel comfortable, safe and welcomed, which is also contributing to the successes being achieved. An interview with a representative from the proponent organisation, Jesuit Social Services, acknowledged that their ability to deliver such a program would have been far more challenging without the collaboration with the Gathering Place.

Funding for the Gathering Places in the Southern Metropolitan region

The Doveton Gathering Place is funded by the City of Casey. Niarm Marr Djambana-Gathering Place in Frankston is an organisation in its own right established with funding from the City of Frankston and DHHS. As is the case with Doveton, it has no recurrent funding and operates with volunteers and a limited opening schedule. The Hastings Gathering Place (Willum Warrain) is also an organisation in its own right with support from the Mornington Shire Council. It has no full-time co-ordinator.

The issue of funding for these Gathering Places has long been a concern of the RAJAC and requests have been put to DHHS to consider ongoing funding particularly given the Department's acknowledgment of the benefits that are derived from them.

Participant “A” is a 17 year old Indigenous male who resides in Doveton. He will be turning 18 next month. He has not been enrolled in any educational setting, be it alternative or mainstream, for over 3 years nor been engaged in employment whether it be part time, casual, work experience or voluntary. Up until a month ago he was couch surfing due to homelessness. While he is not ‘officially’ involved in the justice system yet, he is known to police due to the company he keeps and the young people he spends his time with, is at a high risk of being involved in justice system. These factors, coupled with his disengagement from education, training and /or employment and his pending 18th birthday are strong risk factors for a potential trajectory into the justice system.

Since participating in the Kulcha Connect program at the Casey Gathering place in Doveton there has been an observable shift in candidate “A”’s behaviour and his aspirations for the future. Candidate “A” attends the Kulcha Konnect program “week in and week out” where he receives the support of the ‘Building Strong Aboriginal Youth Regional Co-ordinator’ (Aunty Emma) and a male youth worker from the Dandenong District Aborigine’s Corporative Ltd and the other Koori youth attending the program. The program has provided candidate “A” with a culturally safe space where he is comfortably able to explore his connection to self-family and more broadly his Indigenous culture. Candidate “A”, over time, has responded well to the cultural strengthening and awareness workshops/ discussion where he has explored more about where he comes from, his language group, tribe, and clan. Previously he would sit back with closed body language, keep silent and shy away from discussions. Now he is opening up, talking more freely, his body language is open and he is actively engaging in discussions, asking questions and keen to learn more about his mob / family. He has become more vocal in what he would like to learn and discuss.

Nathan, the youth worker from DDACL has engaged candidate “A” to assist him with the pre-program setting up activities on a Monday. Nathan would call candidate “A” around 2pm every Monday and pick him up to take him shopping to purchase the food for program. He would get candidate “A” to assist him with other tasks required to set up the weekly program sessions: setting up the room, preparing the food, cleaning the kitchen. Candidate “A” then started initiating the 2pm Monday phone call to Nathan and commenced taking responsibility to shop for the group, set up the room, cook, prepare food and do some cleaning. As his confidence in himself builds, candidate “A” is demonstrating more initiative, increased personal responsibility and active participation in the program compared to his initial watch and observe approach. He now makes his own way to the program by public transport. Another example of his improved confidence is he is now wearing his eye glasses which he hasn’t done for nearly 8 months. He attends the homework club at the Gathering place where he connects with the other kids some of whom are his cousins.

Candidate “A” is now initiating discussion with Nathan around returning to school/ education and future work. Nathan is liaising with Chisholm TAFE about candidate “A” eligibility and suitability to sign up to its Department of Education funded Reconnect program. Candidate “A” is now engaging and meeting his jobactive provider. He is accessing the support of a youth worker from Ngwala who has assisted him to get a tax file number, photo identification and centrelink support.

Candidate “A”’s family now has stable housing so he is now back living with family. The best way to demonstrate the shift for candidate “A” is by this – an exercise in the homework club is for participants to share a personal good news story. An exercise candidate A did not participate in. Last week he shared a personal good news story... for the first time!

Box 10-1: Case Study of the impact of Kulcha Konnect program

10.7.2. Aboriginal Community Fines Initiative (ACFI)

The *Infringements Act* provides individuals with a number of options to resolve outstanding Enforcement Orders and Warrants, including applications for revocation of enforcement orders, access to payment plans and payments made in full.

Infringement Management Enforcement Services developed an initiative in late 2015 in conjunction with Inner South Community Health whereby Fines Victoria staff (previously Infringements Court Registrars) attend Aboriginal community events and provide advice on infringement matters and can assist with payment arrangements and enforcement review applications (previously revocation applications) for people with outstanding fines. ACFI is integrated with the SALO and the LJWs and clients receive comprehensive support in relation to their fines. The service commenced at events in St Kilda and at the Dandenong Back to School Day (where a VALS lawyer and financial counsellor were also present to offer advice and information). Trialling of ACFI commenced at the DDACL with the support of the SALO in late 2016 and the feedback from attendees at that event was positive.

Up to 31 January 2017 there have been 21 community events involving 102 participants. Close to \$280,000 in outstanding infringements had been addressed with 18 people enrolled in an Application for Payment Order (to a value of \$62,883) and 19 people receiving revocations (\$127,054). Fifteen applications were pending a decision. Three participants had finalised an open court warrant and 31 participants required further action on their matters³⁵.

By mid-2017, a RAJAC report to the AJF indicated over 200 community members from the region had been supported to address over \$300,000 in outstanding infringements, through the creation of payment plans and revocations.

This initiative has been successful because it is delivered in the community with the government services travelling to the community events to assist people with their fines and other matters. It is a less formal arrangement and people are said to be much more comfortable in talking about their issues in the community setting. A number of these community justice events have been held at the Doveton Gathering Place (as well as Dandenong and District Aborigines Cooperative) where staff from Victoria Legal Aid, Births Deaths and Marriages, Consumer Affairs, and Sheriff's Aboriginal Liaison Officers are available to provide advice and information to any interested community members. The events have been said to be well attended and help to build trust between the community and justice agencies. There is a commitment from the representatives of the justice agencies that the events are purely for information provision and problem resolution and community members should be free to discuss any matter. Specifically, if a community member has an outstanding warrant or fine, they will not be taken in to custody at that time.

This initiative, like the Justice Bus in Barwon South West, is delivering good outcomes not because it offers alternative services to what would be available in a justice centre, but because they take the service to where there is the need and they do so in a more casual manner. This outreach type approach demonstrates a willingness and desire by government services to respond to the reluctance of some people to go into offices where they may have had bad experiences in the past. The initiative also addresses the lack of knowledge of what is available to help people with justice issues that does not involve punitive measures.

A new administrative body called Fines Victoria was introduced in December 2017 as part of the *Fines Reform Act 2014*. The reforms brought in a number of changes including the ability for the Director, Fines Victoria to delegate powers to enable staff to undertake functions to assist Koori

³⁵ Data provided by KJU on request

clients in dealing with their fines by processing enforcement review applications or payment arrangements.

11. Summary of findings

The place-based initiatives investigated through this report fall into two broad categories:

1. An initiative introduced by a government agency and designed and delivered through a partnership approach (e.g. the Koori Women's Diversion program)
2. An initiative designed at the local level to respond to particular community needs.

They have adopted different approaches and there are differences in the level of resourcing each has at their disposal but they share many similarities. Here we must declare that we have taken a liberal interpretation of 'place-based approach' and are more concerned with how each of the initiatives has adopted the characteristics of a place-based approach as defined in the literature.

This section draws the findings from each region together and analyses them against the six characteristics of successful place-based initiatives discussed in Section 2. Later in this section we respond to the key evaluation questions as described in Section 4.4.

11.1. The level of engagement

The AJA is a partnership and places an emphasis on engagement and collaboration. Each of the initiatives has emerged as a result of broad discussions involving input from community and government³⁶. In most cases the RAJAC has been key to bringing the parties together and in the case of the larger government-driven initiatives (e.g. the Koori Women's Diversion project or the Community Fines Initiative) the RAJAC has acted as a conduit and the place where discussions were held, not least to ensure that new initiatives are place-based rather than simply replicated from elsewhere. Program funding via the Community Initiatives Program (CIP) and Frontline schemes requires endorsement of initiatives by the RAJAC who will often provide support to applicants in the submission stage. RAJACs also provide a key accountability function by monitoring the progress of initiatives and as a forum to bring any issues with delivery or performance to the table. The shift in the relationship between police and Aboriginal community members in the Northern Metropolitan region has occurred largely through the coordinated efforts of both parties to engage more respectfully with each other. The establishment of a mechanism to facilitate engagement, the Northern Police Aboriginal Consultative Committee (NPACC), was fundamental in driving the shift and continues as a place where open and honest dialogue can occur. The openness to dialogue has created learning on both sides and has contributed to changes in practice, such as increased cautioning which is helping to keep young people out of the courts and youth detention centres, implementation of the Koori Family Violence Police Protocols and improved working relationships between Victoria Police and the Aboriginal Community.

The establishment of Aboriginal liaison roles has been highlighted in the Loddon Mallee region, although is recognised across all regions, as an important factor in opening up channels of communication and information flow between community and government. One Local Justice Worker in Loddon Mallee sees the role as building close and empathic relationships with the client group, and service providers as a key building block for addressing justice issues. These LJWs 'walk between the two worlds' of community and government and act as a mediator and at times translator for both. The RCIADIC recognised the need and recommended that such roles be established to improve communications and lessen the potential for miscommunication.

³⁶ We heard that the LMARG commissioned research that found that the state government had spent something like \$4 million on consultation with Aboriginal people. The interviewee challenged us to "think about what could have been achieved if that \$4 million had been directed to addressing an issue".

Overall, the initiatives have adopted the same commitment to engagement as is articulated in the AJA. There is an acknowledgement that involving the voices of the people who are most disadvantaged and whose lives might be most affected is crucial to grounding initiatives in local strengths and needs and to ultimate success..

11.2. Leadership and community strengthening

The role of the RAJAC and LAJACs in place-based planning

In adopting a place-based approach the AJA is seeking to address complex issues in particular locations that are contributing to high levels of contact between Aboriginal people and the justice system. Place-based approaches are particularly well-suited to addressing Aboriginal disadvantage because of the “Indigenous emphasis on Indigenous Nations and communities” and the importance of place (Brown et al 2016). These authors argue that a flexible approach to place-based initiatives must include ‘communities of interest’ as well as of geography and notes this has resonance to Aboriginal people living in urban locations where they may constitute a small minority. He adds that recognition of Aboriginal nations extending beyond specific geographic locations means that ACCOs can play a fundamental role in developing justice initiatives.

The LAJACs and RAJACs are at the centre of the approach.

Interviews conducted with RAJAC members representing community and government have confirmed that the partnerships created through the RAJAC/LAJAC are helping to create a sense of ownership at the local level. RAJACs facilitate the participatory identification of needs and the development of plans to address those needs. Because they are part of, and own, the plan, local community organisations and groups and government agencies are motivated to contribute to its success. Involving the RAJACs/LAJACs in setting priorities also allows for prioritisation according to community strengths so that programs have the greatest chance of impact and success.

We have found strong leadership in each of the four regions under investigation and it is this leadership that has driven the AJA3 over the past five years. High levels of trust between RAJAC members are reported and apparent in all four locations. We suggest this has been facilitated in large part by the leadership shown from both the community and agency representatives.

The major difference between regions is how broadly the leadership extends. In Barwon South West there are a number of community leaders engaged with the AJA and, more importantly, a number of young leaders with the skills and capacity to step into senior leadership roles. The Northern Metropolitan region has a long history of Aboriginal activism and leadership so there are many leaders across the region but, for several organisations in the region, their efforts are directed towards other specific areas of disadvantage such as housing, employment or education. Because of their state-wide mandate we also suggest that their focus may be broader than the region. Further, as headquarters their focus is more upon the functioning of the organisation and not necessarily on service delivery. We have also not made contact with younger members of the community who might become further engaged with the AJA as time goes on. Maintaining momentum for the AJA in a region with these multiple focuses is a challenge. The Southern Metropolitan region has the largest Aboriginal population of the four regions and the fewest ACCOs. The RAJAC has not always had strong representation from the community, suggesting broader engagement with the AJA is low. The RAJAC Chair is a strong advocate for the AJA and has developed purposeful and effective relationships with government agencies and this has enabled initiatives to be pursued. Community members have contributed to the Regional Justice Action Plan as a result of a targeted program of community consultation – that is, the RAJAC went directly to the community. Encouraging and attracting greater involvement by the community will be crucial to the development and implementation of place-based

initiatives that are responsive to community needs. Loddon Mallee is the largest of the regions and has a very strong, coherent and expansive Aboriginal services network and an equally strong leadership right across the region. We have witnessed a number of formal and informal place-based projects and initiatives (not least being the Women's Diversion Pilot) that have emerged from the local level and are achieving good results.

Leadership from the government agencies is also evident in each of the RAJACs. The DJR Regional Directors attend on a regular basis and there is good representation from other agencies. Direct involvement by government leaders in the development and implementation is one aspect. A second aspect is the leadership they show within their own organisations and how that affects their staff at all levels. Victoria Police leaders have been enthusiastic advocates for addressing biases within the organisation through raising awareness of Aboriginal culture for themselves and for all staff. Police officers in Warrnambool are routinely invited to join the Elders on-country and have reported getting so much from the experience that their attitudes and behaviours have changed to reflect what they have learned. Relationships have been given a particularly strong boost from the commitment to, and engagement with, culturally appropriate policing from the very top of the Police regional division. More than that, junior officers are responding to cultural awareness training because of the benefit it gives them in the role and not simply because it is a mandatory requirement. There was a strong desire for Police and community to work together to improve Aboriginal justice outcomes.

Local governments are generally less engaged with the RAJACs although have contributed intermittently throughout AJA3. Victorian local governments have a key role to play in the delivery of place-based initiatives and have been the recipient of funding to implement programs aimed at addressing Aboriginal disadvantage. Many local governments are offering community development support through the provision of programs, employment of dedicated Aboriginal community officers and through the provision of funding or spaces to allow external programs to proceed (the Gathering Place in Doveton is a good example of such an initiative). There are synergies between the work being pursued in local government and through the RAJACs so it would make sense for them to come together and work more collaboratively.

11.3. Adequate time and a long-term focus

The AJA has now been a feature on the landscape for over 17 years and over that time strong relationships of trust have developed, particularly through the RAJACs and at the AJF. All interviewees truly understood the complexity of the issues that would need to be addressed and the size of the task in addressing them. All understood that some issues would not be shifted easily and would take time and commitment to do so. There is an acknowledgement that no single strategy or set of strategies is going to make quick and significant inroads into the over-representation problem.

All of the initiatives had been developed through long consideration, enabling consultation to occur and relationships to form. Their design has largely had the benefit of time but not all initiatives have the benefit and security that long term funding provides. Initiatives funded through grant money are the most likely to face the insecurity of short-term funding. Funding offered through programs like the CIP or Frontline are for terms of two years or less. Some funding offered through DHHS was for a period of six months. Little can be achieved over these short time frames and this ultimately creates uncertainty and frustration.

The *Fishing for Answers* program being delivered in Barwon South West was demonstrating good results but the ACCO running the program could not continue it without the additional funding they received. Similarly, programs run through the Gathering Places are achieving good results, particularly with disengaged youth. It is not only the programs that make a difference. The simple fact that a

gathering place exists and is open to anyone to make use of it is an important factor in itself. Yet they struggle to attract consistent funding and thus ensure their sustainability.

Complicating matters is that funding for programs being delivered in the community tends to be offered through competitive rounds where organisations are pitted against each other to attract funding (at the expense of other organisations that won't be successful). These arrangements do not lend themselves to collaboration, which is a key aim of the AJA and will likely result in more effective program delivery.

Competition for funding is an issue for community organisations. What does it do for those who don't get the funds? The short timeframe to respond to a funding round makes it difficult to work collaboratively with other organisations. There is a disincentive to collaborate. Organisations are working on getting rid of silos but we find ourselves doing it. (RAJAC member)

Discussions with ACCOs highlighted the need for grant funding to sufficiently cover the full costs of implementing a program. They suggest that administrative costs for programs is realistically between 18 to 25 per cent of program costs. Some grant programs only offer 7 to 10 per cent and so the balance of funds to audit and systematically manage the financial budgeting and payments and such has to be absorbed within other programs. This places an unfair burden on these organisations.

Programs that come and go, especially programs that have been achieving good results and that are supported by community, create distrust. This makes it more difficult for new, or even revitalised old, programs to be rolled out because community members are less inclined to engage with them for fear that they will discontinue in the short-term.

Initiatives such as the Local Justice Workers and other liaison roles have been in operation for some time and are expanding across the state. While there have been some issues in recruitment and retention of staff, the agencies funding or employing for these positions maintain their commitment to the roles. It is not clear that there is a full appreciation of the demands of the roles and the high potential for burnout. The same applies to the RAJAC Executive Officer and LAJAC Project Officer roles. The success of the roles depends on the relationships that the liaison officers form with government and community. Relationship building takes time. It is therefore important that liaison officers are supported to enable them to remain in their role over the long-term. It is our view that additional supports are needed which might be physical supports in the form of additional staff, or professional and emotional supports in the form of providing more opportunities for liaison workers to come together and share their experiences and support each other.

The Mildura pilot of the Koori Women's Diversion Program established that the clients needed more than six months to engage with the program and make best use of it, and that 12 months was still not enough for some of those with the complex needs, suggesting that, to achieve real outcomes, there should be no set time limit for participants. In particular, transitioning successfully out of the program and into wider community connection or support services is critical if achievements made in the program are not to be wasted. This appears to be a program that, responsive to the complexity of clients' issues, is taking a longer view where needed.

11.4. Responding to the context

We found a good understanding in each of the regions of the particularities of the issues that are contributing to contact with the criminal justice system. This understanding is driving the planning around programs that might be best placed to address these issues. Initiatives that have been pursued are taking account of the disadvantage faced by members of the community as well as the

capacity of organisations to deliver services. In that sense, these initiatives are both spatially and socially targeted.

Informants have strongly emphasised the unique nature of local communities and their organisations. It is important, for example, to be aware that differences can play out in the operation of government funding programs, where some organisations have greater capacity to compete for support, and smaller organisations require help (such as from the RAJAC EO or the KJU) with planning and making submissions.

Many initiatives, most of which have not been discussed in detail in this report, are captured in Regional Justice Action Plans developed with wide community engagement by the RAJACs. The actions included in the Action Plans are regionally specific and tend to be prioritised according to need. The RAJACs have a very good understanding of the region and this understanding is constantly updated as they meet every two to three months. The Plans are not updated but certainly the thinking is.

Overall, the initiatives implemented under the umbrella of the AJA can be said to respond to place. In that respect they are meeting that characteristic of being place-based. To successfully work within a community deemed ‘high-risk’ requires more than simply addressing the challenges; it requires an acknowledgment of the strengths that are apparent in the face of those challenges. The evidence from this evaluation shows us that it continues to be imperative to play to unique community strengths, to allow adequate time and other resources for local program design and planning, to be flexible in allocating funds, to incorporate real costs into service or program funding, and to apply government resources and expertise to build community capabilities and skills. Building community capacity and capability entails going out to communities, recognising differences, supporting leaders, encouraging knowledge-sharing across organisations, rewarding collaboration and ensuring a flow of up to date information on available resources, services, programs, data and research. Such an emphasis on place helps to localise and culturally-situate any program or initiative to best respond to the local need. Once contextualised, successful and innovative programs and services can more readily be adapted for transfer to other regions.

11.5. Flexibility

Common practice in the delivery of place-based initiatives suggests that there needs to be a flexible approach and “locally grounded” design and implementation. We found that most initiatives were able to respond or adapt to the situation on-the-ground and even occurred within the more bureaucratic setting of government agencies. For example, the CCS Case Manager in Geelong found that management through outreach offered a more effective outcome for his client on a CCO.

Flexibility and responsiveness has also been shown in the Koori Women’s Diversion program that is adapting to the needs of the women it is helping through the process. The flexibility is enabled, in part, because of the multisectoral approach that has been adopted. The client is at the centre of the initiative and bringing together each of these different service providers means that all develop a collective understanding of the client’s needs and gives support to responsiveness and flexibility.

The Justice Bus is another outreach service that has inherent flexibility. The bus goes to where the need is and the officers on board respond to that need. It offers the flexibility to refer clients to the different services provided on the bus. This same approach is used by the Aboriginal Community Fines Initiative in the Southern Metropolitan region. Here Sheriffs and other justice staff attend community events to provide information and advice to people who have unpaid fines, to help them acquit those fines through payment or community work. Both initiatives demonstrate responsive outreach approaches that make the services more accessible to community and alleviates some of the issues

associated with having to travel to multiple and sometimes distant locations to have a number of issues resolved.

The discussion on funding suggests that flexibility will often be constrained because of the conditions placed on grant funding. However, some flexibility is offered through the discretionary funding (\$40,000) made available to RAJACs. This discretionary funding gives the RAJAC the autonomy to allocate funds to small local programs that might not otherwise be eligible for larger grant programs like Frontline or CIP.

Flexibility has been built into the Case Management Review Meeting approach adopted in the Northern Metropolitan region. It is highlighted through the comments received from one offender on a CCO who said;

This order has been good – I told CCS when my uncle got sick and they were a bit flexible. CCS have been more helpful recently too. For example, they had sent me to do community work at the cemetery where the funeral was, but they changed it because it was too stressful for me.

There are opportunities for greater flexibility but it will require greater autonomy in decision-making at the local level. That may mean devolving decision-making authority to non-Government organisations and, in some cases, to individuals such as the Local Justice Workers. Such an approach draws on the expertise of local (and sometimes community) leaders. If this were allowed then local decision-making will need to be made within defined boundaries but these might be negotiated on a case-by-case basis. The challenge is that devolved decision-making exposes the government to risks, particularly with regard to its accountability for the expenditure of public funds. A report on Commonwealth place-based service delivery initiatives (Wilks et al 2015) provides some examples of mechanisms that have been implemented that allow for devolved decision-making. These might offer the Victorian Government agencies some guidance on the options that are available.

11.6. Joined up working

Joined-up and collaborative working is an integral requirement of successful place-based initiatives. It is also an aim of the AJA. This approach recognises that no one organisation can provide solutions to all of the issues driving offending behaviours. Joined-up working was demonstrated to some extent by all the initiatives reviewed and achieving the necessary 'flow' is a continuing aspiration throughout the system. The concept of 'flow' or continuity of care was a major theme in discussion of this report by the Evaluation Steering Committee.

Two initiatives best illustrate how a joined-up approach is fundamental in seeking to address issues.

The Case Management Review Meetings bring together a CCS Aboriginal Case Manager and other case managers, a local Aboriginal Elder, DHHS disability and child protection officers, the VALS Local Justice Workers, the RAJAC's Executive Officer, the SALO and local community organisations with the client on a CCO. The aim is to deliver tailored, culturally appropriate wrap-around plans to the client. Presented cases are 'unpacked' collectively and the group devises a raft of strategies to address poor engagement and compliance.

This approach allows for greater coherence around individual client needs. Greater coherence is also provided through the joined-up approach adopted for the Koori Women's Diversion Program delivered through the local ACCO. MDAS employs a KWDP case manager and a case worker. They are well supported within the organisation's Social and Emotional Wellbeing team. Interviewees reported that the program offers holistic wrap-around support so that women can navigate the justice system and its silos. The program links women to MDAS and other services (ensuring that the women can choose which services) and provides intensive case management for as long as it is needed.

11.7. Responding to the Key Evaluation Questions

11.7.1. What have the outcomes of the AJA3 been in each location? Have there been any unintended impacts?

Given the multiple systemic and contextual causes of the over-representation of Aboriginal Victorians in the criminal justice system, the AJA will only ever be a complementary strategy in efforts to reduce this. Initiatives and programs implemented under the umbrella of the AJA are achieving positive outcomes in the regions, although the overarching aim to reduce the over-representation of Aboriginal people in the criminal justice system has not been achieved. There have been a number of factors that have contributed to this, as discussed in Section 3, and these factors have been beyond the control of the AJA partners. In many cases the impact of regulatory or legislative change on Aboriginal and other vulnerable communities is not sufficiently considered, particularly given the disproportionate negative impact that much of this change renders. It would be beneficial if consideration of such impact were prescribed for those with responsibility for the development of new or amended legislation to try to lessen the potential for adverse unintended outcomes.

Recommendation 1: that the Victorian Government develop and put in place structures and processes to ensure consideration of the potential impact of new or amended legislation to try to lessen the potential for adverse unintended outcomes for Aboriginal people (children, young people and adults), including:

- that the Department of Justice and Regulation liaise with Office of the Commissioner for Better Regulation to determine the need for a revision to the Victorian Guide to Regulation to indicate where Local Impact Assessments (LIAs) and Regulatory Impact Assessments (RIAs) should specifically describe any disproportionate impacts of legislative/regulatory change in the justice sector on Victorian Aboriginals.
- that the Department of Justice and Regulation liaise with the Department of Premier and Cabinet to determine whether changes to the Subordinate Legislation Act 1994 and/or its regulations, or the Premier's Guidelines are appropriate to ensure impacts on Aboriginal people are adequately assessed.

There have been significant contributions made towards delivering on the AJA's six strategic objectives across all regions in varying ways.

Each of the regions has specific, and often unique, characteristics contributing to the specific criminal justice issues encountered by Aboriginal communities in those regions. These have been described in Sections 7 through 10. A number of AJA initiatives have been implemented in each of the justice regions and have not specifically been designed in response to the unique context (and so are not considered 'place-based' in the truest definition of the term). However, even these centrally designed programs do respond to context in their local implementation. One useful example worth exploring is the Koori Courts. This AJA initiative follows the same overarching model regardless of the region they operate but they take advantage of the presence of connected Elders and Respected Persons in the region to not only provide cultural relevancy but also to ensure that those coming before the court are facing Elders from their own community who understand the local environment and the contributing factors to offending behaviours. The involvement of the local Elders contextualises the discussion and decision-making in the 'place' where the actions are taking place. Although the design of the Koori Courts program is not strictly place-based, their implementation largely is. There is evidence

that other centrally designed AJA initiatives operate locally in the same manner as the Koori Courts. That is, there is sufficient autonomy in the regions to allow for many programs to be responsive to the conditions in which they are implemented.

There are few examples of initiatives that more truly align to a place-based approach. A prime example we highlight is the Koori Women's Diversion Program piloted in the Loddon Mallee region. As discussed in Section 8.7.2, the KWDP was not rolled out by government in a standard format, but was designed in, and with, the local community to suit the local context, local needs and the available service mix, that is, the community strengths. While there are core principles guiding implementation particularly around intensive case management, operational structures and details are specific and responsive to the Mildura context. For example, the pilot commenced with a plan for six months of engagement for each client but soon established that the particular clients being serviced had complex needs requiring longer engagement with the program to make best use of it. For some clients with very complex needs, 12 months engaged was still not enough.

We have described other initiatives that have been highlighted by stakeholders in each of the four regions as being particularly successful (in Sections 7 through 10) and we have pointed to other AJA initiatives in Section 5. Even then, these do not fully capture all of the program activity that has taken place under the AJA, rather it refers to the larger-scale activities implemented by government for the most part. There has been smaller scale activity initiated more locally and this is achieving positive results for Aboriginal people in those locations.

Each of the regions has been able to access varying amounts of grant funding for short-term initiatives that respond to local needs and that have been developed locally. The amount of funding that has been sought has varied. Some regions have attracted hundreds of thousands of dollars, others have had more limited amounts. Interviews with program proponents and other interested stakeholders have consistently raised a number of issues with the reliance on these, often ad hoc, funding opportunities and some of these are discussed below.

The first issue, noted in the 'responding to context' discussion above (Section 11.4) relates to the capability and capacity of organisations to apply for the funding. While applications are typically made by larger ACCOs that have the capability, they are often constrained by their own internal resource capacity to complete the often lengthy application process. Smaller organisations have the added constraint of limited internal capability to complete applications – their focus being on service delivery.

A second issue raised in regard to grant funding is that it will generally be short-term, typically one to two years but sometimes six months. This limits the ability to make far-reaching inroads into the complex problems that organisations are seeking to address. We also heard that some grants do not provide for ongoing funding applications at the completion of one round to continue the work commenced. The result of this is a series of small-scale, less ambitious actions that equate to 'tinkering at the edges'.

Administering grant funding and reporting on outcomes to the funding bodies is time and resource intensive and consumes financial resources. Many grant recipients noted that the provision in grants for this administrative function is insufficient. One recipient noted that it often only accounts for 20 per cent of the total administrative effort. It is necessary to have a high level of accountability in the management of grants. It is equally important that grant recipients are able to show what the funding is achieving in terms of outcomes and for this information to be shared with the funding body. For this to occur requires that grant recipients have sufficient resources for management and evaluation. This will either need to be a pre-condition of approval or the grant must allow for these activities to take place within the funding provided (i.e. sufficient funding should be allocated to management functions). Recommendations 6 and 7 in Section 11.7.4 refers to these points.

In terms of unintended impacts, we have not heard of any that have been adverse. One impact that might be considered adverse is the considerable demands placed upon people in various liaison type roles, although they would not describe it as such. The success they are having in their roles in supporting community members through the justice system means that they are called upon well beyond their operational hours and to assist with matters that are beyond their job description. This suggests two things; 1) that they are providing a valuable and necessary service and 2) that more liaison officers are required.

Recommendation 2: that additional Aboriginal liaison officer positions (LJWs, YJWs, ACLOs and SALOs) be established in the regions to match specific regional needs. Support structures should be put in place to connect Liaison Officers regardless of whether they reside in or are funded by justice agencies or are located in non-justice agencies. Further, Liaison Officers should be provided with personal development opportunities through the provision of training and/or education relevant to the many roles they play. Other support should be considered, for example, access to a vehicle to allow for out of hours assistance to be provided. Remuneration packages will need to account for the work that officers undertake outside of normal business hours including weekends.

11.7.2. To what extent has the AJA3 improved positive contact with the criminal justice system and increased access to, and use of, justice related programs for Aboriginal youth and adults?

From its inception the AJA has promoted an approach to justice that is more therapeutic and less punitive. It focuses on early intervention and diversion aiming to minimise contact with the justice system to the greatest extent possible. As a partnership that includes non-justice agencies such as Education and Health and Human Services, the AJA encourages a holistic approach to deter children from criminal activity and thus avoid contact with the criminal justice system. If contact does occur, diversion options are in place that lessen the severity of that contact and the likelihood of further offending. If diversion is not an option, as would be the case in serious offences, offenders may be imprisoned or managed in the community on a CCO. In both cases, opportunities to participate in treatment and/or rehabilitation should be available to help the offender in addressing the drivers of their offending behaviours.

The forums that have been established under the AJA (AJF, RAJAC, KRG, LAJAC) provide a setting where government and community can come together to discuss issues, learn from and about each other and propose solutions. These forums are highly respected. Representatives from government agencies talked about how their understanding of the importance of culture to Aboriginal people and of the challenges they encounter had improved. The improved understanding and cultural awareness had led them to think differently about how the justice system and other systems can better respond. All of the agencies had, or were about to, implement strategies, policies and practices that are more culturally responsive with an aim for this responsiveness to become their new 'business as usual'.

As a partner in the AJA, Corrections Victoria has implemented a number of structural changes to better respond to issues identified through the AJF. The agency aims to deliver services that are not an add-on to already existing mainstream services but are designed and delivered with cultural relevance. Where possible the agency seeks support from the Koori Reference Group for programs that are designed specifically for Aboriginal offenders and prisoners.. According to the Commissioner for Corrections Victoria, "the AJA is in our DNA" and this view is filtering throughout the organisation.

Another AJA partner reporting organisational change influenced by the AJA is Victoria Police. Victoria Police have established Aboriginal employment targets in its *Aboriginal and Torres Strait Islander Employment Plan* which advocates for the creation of employment and career development opportunities for Aboriginal Victorians. Also, the creation of the centrally located Priority Communities Division responsible for supporting frontline members to better engage with the most vulnerable members of the community has assisted in improving relationships between police and the Aboriginal community. The Chief Commissioner notes;

[it] has now sharpened its teeth a fair bit on its engagement with the Indigenous community. It is more agile in dealing with issues in the community they see across the board. That's a central piece for us and they are central to our involvement to the AJF. They guide and shepherd and coordinate it. They can get involved in all parts of the organisation so have a role in directing our policy (pers. comm. Chief Commissioner of Police, 22 September 2017)

In the Northern Metropolitan region Victoria Police have established the Northern Police Aboriginal Consultative Committee (NPACC), to drive and lead the Koori Family Violence Police Protocols and improve working relationships between Victoria Police and the Aboriginal community. The Committee has been instrumental in guiding police as they sought to improve what had been very poor interactions with Aboriginal community members. Relationships have been improved through initiatives that bring police and community together in a casual context. The Massive Murray paddle, a 404km canoeing event over a week, provides an opportunity for police officers and young Aboriginal children to come together to paddle stretches of the river. This enables conversation, enhances relationships and helps to build trust. A quote taken from the website of Aboriginal Victoria about the event highlights the impacts from this joint participation³⁷;

It is really, really awesome... You see day-to-day in Ballarat the impact of when you have positive relationships with police officers... If anything happens in Ballarat the young people will call the police they know from the marathon, to get advice or for help... If that was run as a continuous thing, even if like a diversion thing, the kids who do it wouldn't think of committing a crime in their wildest dreams.

Corrections Victoria also provides a good case study in responsive practice. The treatment programs referred to in the report are not always available, and if they are, are not always accessed by offenders and prisoners. A number of factors contribute to program accessibility. Access to programs in prisons is not always available for prisoners on shorter sentences or those on remand. Prisoners that do have sentences of a length that enables access to programs have sometimes found themselves transferred to a different prison that either does not have an appropriate program or the wait list is so long it precludes access. Where programs are available they may not be culturally appropriate or gender specific. Programs delivered in the community to offenders on CCOs or prisoners on parole orders also lack cultural specificity in many cases. This both diminishes their attractiveness to and effectiveness for Aboriginal participants. Corrections Victoria have sought to introduce more Aboriginal specific programs into their correctional facilities so that Aboriginal prisoners and detainees receive appropriate and culturally relevant services. For offenders in the community, Corrections Victoria typically support ACCOs to deliver the programs. We have heard, anecdotally, that these programs are returning positive outcomes. Evaluations of programs like the Wulgunggo Ngalu Learning Place are reporting good results and these are likely to improve as further learnings are fed back into program design. Corrections Victoria has demonstrated a commitment to improve the cultural relevance of their programs and to improve the cultural appropriateness of their facilities. The introduction of 'Koori' spaces within prisons has helped to make prisoners feel safer

³⁷ <https://www.vic.gov.au/aboriginalvictoria/policy/victorian-aboriginal-affairs-framework/aboriginal-affairs-report-2017/safe-families-and-communities-and-equitable-justice-outcomes.html>

and for some, has reduced their anxiety at being imprisoned. There is more work to be done to extend their service offerings to all locations but it is apparent that the changes made to date have altered the culture internally and improved the situation for Aboriginal people who find themselves under the management of Corrections Victoria. We have heard from staff at CCS offices that they have the ability to operate with some flexibility in their management of offenders in the community (refer Section 7.7). This has enabled them to deliver their services/support in a far less formal manner and this has improved their engagement with offenders and offender compliance. Similar positive results have been achieved with the introduction of the Case Management Review Meetings in the Northern Metropolitan region as discussed in Section 9.7.2. Improving access to a collection of services has also been enhanced through initiatives such as the Justice Bus (Section 7.7.2) in Barwon South West and the Aboriginal Community Fines Initiative (Section 10.7.2) in the Southern Metropolitan region. These are instances where the service providers are going to the recipient and not the reverse. Again, positive results have been achieved.

It is evident in the strategies and policies announced by Victorian Government agencies that they have maintained a commitment to addressing the inequalities between Aboriginal and non-Aboriginal Victorians. The AJA has played a role in highlighting and keeping a focus on the issues that contribute to these inequalities. The organisational shifts are making a difference to building relationships of trust but there is further work to do. Access to culturally appropriate, and more importantly, Aboriginal designed and delivered programs for offenders and prisoners needs to be extended. On the matter of treatment and rehabilitation there remains a lack of evidence on the effectiveness of such programs and further evaluations of what works is required. This is particularly so for Aboriginal designed and delivered programs.

That agency staff are adopting more flexible approach to their service delivery is encouraging. These approaches help to improve access by removing some of the structural barriers to service access. Continuing the practice may require giving greater autonomy to individual staff members and devolving authority to regional, and even local, centres. It has been shown to work and investment in this should reap benefits for the agency and for the people they are serving.

Recommendation 3: that consideration be given to expanding the number of Aboriginal designed and delivered programs for Aboriginal offenders (young and adult) in the community and in prisons. Resources should be directed towards building the evidence base of what works in programs to address offending behaviours including treatment programs for AOD and mental health problems. Some consideration should be given to expanding accessibility to programs for Aboriginal prisoners on short sentences. Continuity of services has been highlighted as problematic for adult prisoners and young detainees transitioning to the community. Improving the transfer of information from prison to community service providers will help with this.

11.7.3. To what extent does the AJA3 complement, make use of and build upon individual, community and organisational strengths, resources and services?

The AJA3 advocates for place-based strategies and approaches that respond to particular local contexts. Place-based approaches are reliant upon local individuals becoming engaged with and investing their time and efforts identifying the problems and developing appropriate solutions. The AJA3 is a partnership and it advocates for partnership ways of working and it facilitates bringing multiple organisations and people together to create a synergy of effort. Sharing knowledge and

information in such a partnership builds capacity and capability in all partners. We have seen examples where the partnerships have allowed for stronger relationships to develop between government and community (Section 7.7.1) and within government agencies (Section 5.1.3).

The effectiveness of the RAJAC and LAJAC is contingent upon the strength and passion of individual members. In that regard the AJA3 is making good use of the individuals working together towards the objectives of the Agreement, but this is not without a cost. That cost is the demand placed upon each of the individuals in terms of time and effort. Aboriginal community members participating in LAJAC, RAJAC and the AJF are mostly engaged with the AJA in addition to full-time roles. They are very active in their community and are members of other boards and committees. In more recent years, their time has also been taken up with engaging in discussion around self-determination and the development of a treaty. Additionally, several State Government agencies have established AJA-like structures which also place demands on Aboriginal leaders' time. While the involvement of community leaders in the Forum and RAJACs brings great insight and benefit to the AJA, it is taxing. It would help if there were more members of the community able to step into leadership roles. This requires an investment in younger Aboriginal men and women to develop their skills and abilities to facilitate their participation in the AJA. The investment can come from government in the form of awareness raising, leadership programs, networking opportunities, cadetships and mentoring. The investment can also come from older community members and Elders acting as mentors and role models for younger people as they develop their own skills.

Recommendation 4 – that the Department of Justice and Regulation

- revise the RAJAC operating framework to allow and encourage the involvement of 'lay' community members
- develop a strategy for encouraging greater involvement of Aboriginal men and women, including young people, in the Regional Aboriginal Justice Advisory Committees that includes a pathway to leadership roles.

The involvement of ACCOs and other Aboriginal organisations or bodies (e.g. gathering places) as the prime delivery agent for services to Aboriginal people is central to the AJA's place-based approach. Led by Aboriginal people, these organisations are at the heart of, and chief advocates for community. They are best placed to understand community needs and deliver responsive services. Many initiatives of the AJA3 are managed or delivered through ACCOs. The Local Justice Workers, which we have identified as a highly successful initiative, are recruited into, and managed by ACCOs. Partnerships between justice services, local Aboriginal community organisations, and mainstream community health services have been developed to address a range of issues including alcohol and drug use. ACCOs are delivering many of the rehabilitation and treatment programs for prisoners and offenders. Each of these initiatives are supported through the AJA3.

This report has discussed numerous examples of impactful programs, but gaps do remain. One major gap is simply the few services that are available. Not all regions have a good coverage of ACCOs, the Southern Metropolitan region being a case in point. There is then a reliance on mainstream services that may not always be culturally appropriate. Other regions may have one or two excellent services but a gap in some other service. The major gaps across all areas are in post-release housing, alcohol and other drug treatment, mental health services, residential treatment/healing options, and transition to study and employment programs.

Not only has the AJA3 contributed to strengthening Aboriginal organisations, the Agreement (from its commencement) has been instrumental in fostering cultural change within Government. Our interviews with non-Aboriginal government staff often included discussion of the role of cultural awareness training in raising awareness, shifting attitudes and encouraging new relationships. Aboriginal employment strategies that have led to more Aboriginal employees have had a similar impact on the non-Aboriginal workforce – improving understanding, forming new friendships. This is commended and must be continued as we recognise that Aboriginal workforce development is a long-term task. None of the agencies that participated in the interviews indicated they had done all they can to improve their service delivery and recruit more Aboriginal employees. Each of them acknowledged that more could be done and were actively seeking to introduce new policies and strategies that would ultimately have flow-on effects to the AJA.

Grants and other funding

It is common for Government grants and program funding to be limited to Aboriginal organisations (or non-Aboriginal organisations auspicing to Aboriginal organisations) as they are considered the most appropriate location for the services to reside. The criteria that prescribes what organisations are eligible to receive funding are one way to direct resources to organisations that can achieve internal capability strengthening while also assisting their clients. The funding can assist an organisation in building on its existing service offering, furthering recruitment, and encouraging skills development. However, there may be downsides to government funding for some of these organisations, particularly smaller entities whose existence is reliant upon ongoing receipt of funding.

We have discussed the administrative burden on organisations in applying for and managing grants and the lack of recognition of the financial cost of grant management (Section **Error! Reference source not found.**). We have also discussed the difficulty in implementing long-term programs with funding issued over short time periods. We have heard of instances of organisations having to reduce their service provision because they have been unable to attract continuing funding for specific programs that have been delivering positive results. There is uncertainty for those organisations that have few other funding options outside of government grants. The impact of loss of funding is particularly harsh for recipients who had previously been receiving services from the organisation and who are often faced with no other alternatives in the locality they reside.

AJA3 includes a specific objective for community capacity building, specifically to:

Build capacity in and enable Koori communities to improve local justice outcomes and increase community safety, through place-based approaches to crime and violence.

In summary, initiatives implemented under the AJA3 and the structures that have been established to support it are contributing to community strengthening. Numerous examples point to instances where individuals and organisations have taken advantage of opportunities to build on existing skills or develop new skills.

There is a sense, however, that some of the upskilling that is occurring is a coincidental, albeit positive, by-product of initiatives rather than a purposeful intent. Undeniably there are adverse effects on Aboriginal organisations and the people they are assisting when funding is withdrawn. We do not suggest that funding to be automatically granted but there may be opportunities to improve grant schemes to minimise the effects of an abrupt loss of funding. It will take some ‘out-of-the box’ thinking to do this but we have no doubt that the talent that sits around the AJF table is such that new solutions can be explored.

Recommendation 5 – that grants programs incorporate specific requirements for recipients to include capacity building for their Aboriginal workforce or for the community they are serving and include this as a measure of success. If this recommendation is implemented then funding amounts will need to reflect the additional resources required to action this new requirement.

11.7.4. What specific factors (geography, history, service mix, location, etc.) influence outcomes in the locations and need to be considered in applying findings from this area to other locations?

Where success has been achieved the overarching factor that has contributed to that success is strength of identity and strength of culture. Where challenges have been difficult to overcome, we commonly heard that ‘people had lost their way’.

The Barwon South West region has been held as the exemplar, the model to be imitated. There is no doubt that Barwon South West is somewhat unique in comparison to other regions in this study. The individuals that participated in the evaluation referred to the cultural strength of the region and how that has encouraged greater direct engagement by Aboriginal community members in addressing the problems encountered by the whole community. There is a coherence in the region that allows for people to come together no matter what their language group. This coherence is not effortless. It has been created through the active and largely uninterrupted participation of Aboriginal leaders, young and old, over many generations, and of non-Aboriginal leaders in government and community. The AJA offers the structures (RAJAC and LAJAC) to enable this to happen.

The other three regions do not appear to have the same level of coherence and this is largely a function of migration and history. The two metropolitan regions have extremely diverse Aboriginal populations. That diversity comes in the form of their cultural attachments, their kinship affiliations and the lives they lead. There are also issues associated with population mobility and the difficulties this brings in continuity of service delivery. The Loddon Mallee region is also subject to high levels of population mobility, particularly in the north. Although these regions are challenged by these factors the presence of numerous strong ACCOs in Loddon Mallee and Northern Metropolitan offer a focal point for activity and action to take place. In many cases these ACCOs are taking the lead in supporting their communities.

The Loddon Mallee Aboriginal Reference Group (LMARG) brings together five of the region’s ACCOs (Mallee District Aboriginal Services, Bendigo and District Aboriginal Co-operative, Njernda Aboriginal Corporation, Murray Valley Aboriginal Co-operative and Mungabareena Aboriginal Corporation) to advocate on behalf of their community members and ensure that culturally appropriate services are being delivered. This Group invites mainstream services to participate in their quarterly planning sessions to cooperatively develop innovative solutions to the regions health problems. The LMARG is pursuing its agenda through self-determination which empowers its members and, ultimately, the regional community.

While the Southern Metropolitan region does not have the same range of ACCOs it does have strong leadership within the ACCOs, the Gathering Places and on the RAJAC, although it appears to be somewhat uncoordinated, occurring independently of each other. The challenge for the Southern Metropolitan region is that responsibility for leadership rests with few individuals in a region with the largest Aboriginal population of all regions in Victoria. The large population should be seen as a positive as it suggests there are opportunities to tap into the skills and experiences of the people

living there. Doing so will take some effort and investment in raising awareness, establishing networks and providing opportunities for engagement. At present the Gathering Places seem to be the ideal location for this to take place. However, their current resourcing is stretched and insecure. Greater security of funding would provide the Gathering Places with the necessary certainty and the financial capacity to introduce programs aimed at encouraging stronger engagement, particularly of younger Aboriginal men and women.

Recommendation 6 – that the Department of Justice and Regulation work with other agencies and local governments to investigate options for providing resources (financial and in-kind) that support the operation of Gathering Places (or similar grass roots organisations) as spaces where Aboriginal people can come together in a safe and welcoming environment and where programs and services can be delivered.

Some key informants and the Evaluation Steering Group Steering Group reflected on the challenges face by Chairs and Executive Officers in maintaining RAJACs and LAJACs. A need for Project Officer support was felt necessary, as well as ongoing professional support and development. Challenges included clarity of role and confidence in its legitimacy, which can be complex. Chairs may also be government employees. There is particular tension for EOs when identifying as community and fulfilling their EO role: their government status means, for example, they are not officially part of Koori Caucus. One EO described their role as ‘driving with no control’ yet being answerable to two different leaders, their DJR line manager and the RAJAC Chair.

Recommendation 7 – the RAJACs and LAJACs are important structures in the regions allowing for government and community to come together to discuss justice issues and to develop solutions. Their continued operation is essential to maintain the momentum of the AJA and they will need to be adequately resourced to allow for continued impact. We recommend that Government continue to support the resourcing of these structures and to develop strategies to encourage increased participation by both community and government representatives in the regions. The specific roles of the RAJAC Chair and EO must be better supported through the provision of sufficient financial, physical and human resources (such as Project Officers, professional development) to enable improved engagement across the region they operate in.

One point we would like to highlight is the dependence of community organisations on government funding. The funding opportunities over the period of AJA3 included Frontline and CIP as well as grants provided through the Community Crime Prevention. Regardless of the source, access to the grants creates competition between regions and between organisations. Rather than promote competition it would be beneficial if the grants encouraged collaboration, particularly between organisations servicing the one region.

The competition for grant funding will tend to favour larger, better resourced and longer established organisations. Requiring collaborative applications can help those smaller, less well-resourced organisations to learn from the larger organisations, build their own internal capacity to apply for grants and deliver on programs they might not necessarily be involved in. Collaboration in this way levels the playing field between the different ACCOs throughout the state.

One further point about the grants that were available during AJA3: there appeared to be considerable overlap in the targets for the grant applications that were successful. Certainly, Frontline and CIP tended to favour projects aimed at youth. It was not clear why the two separate programs were established. Efficiencies are likely to be achieved in management through rolling the two programs into one.

Recommendation 8: that guidelines for grant programs encourage collaboration between organisations to develop programs and then implement them in a partnership way. In particular:

- to allow for relationships to be established and applications to be developed, sufficient time (at least three months) should be allowed between announcing the availability of the grant and the deadline for applications.
- to ensure local initiatives arise from and match local strengths and needs, allow adequate program time for community engagement and program co-design.
- **that the DJR set up a single grant mechanism**, in place of CIP and Frontline, for funding initiatives that are relevant to AJA objectives, allowing sufficient flexibility for applicants to determine their own focus.

11.7.5. What is the experience of Koori offenders and Koori youth as they engage with the 'service mix' under AJA3? Are there points in the system where Koori offenders are at risk of 'falling through the gaps'?

Data gathering to capture the youth perspective was limited in this evaluation as described in the Limitations (Section 4.5 above). In large part our understanding of youth issues has been confined to the perceptions and views of adults working with youth, and in some limited cases with young people working in the community sector. The discussion that follows presents our findings on the views of mainly adult offenders, although we are able to present some thoughts regarding AJA responses to youth and young people.

The experience of adults

As discussed in Section 6, interviews with adult prisoners and offenders revealed common experiences. In most cases first contact with the criminal justice system occurred at an early age. It often followed disengagement from schooling and escape from a dysfunctional home. There ensued a cycle of sanction and reoffending leading to imprisonment. This was true of many, although certainly not all, prisoners we spoke with.

Prisoners' stories diverged when the discussion moved to rehabilitation and treatment. There were varying views on access to appropriate programs and of their effectiveness. More favourable views were expressed about Aboriginal specific programs, and especially about those delivered by Aboriginal service providers. However, access to these programs is not universal in either the prison setting or in community. We have heard that some successful programs have been discontinued, sometimes through lack of funding and at other times the result of program staff leaving. It does appear that some programs are contingent upon one or two individuals driving the delivery and this makes the programs susceptible to ending when one individual leaves.

Programs offered in the community will often be delivered by ACCOs, with many of these organisations serving the local language group. There are occasions where offenders are not on country and are reluctant to use these service providers. In cases where the offender is on country there may be a reluctance to use these local services because of shame. Where these offenders have conditions to

attend a program the only viable alternative is to attend a mainstream service provider who may or may not offer culturally appropriate programs.

Another access issue identified in interviews with offenders and their case managers relates to travel. One CCS Case Manager noted the difficulties offenders face in trying to access the Aboriginal Programs Unit in East Melbourne as it requires a full day of travel to attend a program. That the program is delivered off country only adds to the reluctance to attend.

Several initiatives discussed in this report deliver services in the community. These are helping to remove barriers inhibiting problem resolution. The Justice Bus alleviates the need for people with justice issues to travel the long distance to Melbourne to obtain a birth certificate as a first step in obtaining a driver's licence. Equally, the Aboriginal Community Fines Initiative is helping people to resolve multiple issues in one place, in one day. Both initiatives are helping to reduce the levels of distrust and anxiety that many Aboriginal people have in dealing with Government.

Over the period of the AJA3 there has been an increase in the availability of culturally relevant programs across regional Victoria, but the number is insufficient to meet demand. Those that are operating are achieving good results and, more importantly, are sought after by Aboriginal offenders and prisoners. The success of these programs has been attributed to the holistic approach taken to 'healing the spirit' and not simply focusing on criminal behaviours. Such an approach focuses on reconnecting men and women with, or further strengthening, their culture. strengthening their spirit and connection to country, and building respect for land, self and others³⁸. Such approaches do not offer a short-term fix. They are dealing with complex, long-standing traumas that may take many years to fully resolve, if they ever do. The government and community stakeholders we interviewed understand this, but the systems sometimes fall short. We would like to see a system that recognises change is a long-term prospect and values the shorter-term achievements people accomplish through program participation. Recidivism is a key indicator of program success but should not be the only indicator. Attendance at, and completion of a program should be acknowledged as an achievement in itself. It is an achievement in overcoming barriers and commencing a journey towards long-term change and the value of this should not be under-estimated.

Further and ongoing investment in Aboriginal service providers delivering Aboriginal programs will allow for greater access and is likely to achieve better justice outcomes in the long-term. We have not provided the specifics of what makes such programs successful - our evidence is anecdotal but it is compelling. At its heart, the evidence suggests that more Aboriginal service provision is key. This will require the development of an Aboriginal workforce with capability and skills in areas of need, within government agencies and in ACCOs. The AJA can assist in this in encouraging the partners to explore opportunities to promote education in health or justice services, promote entry to professions in these fields and to build upon their Aboriginal employment strategies.

Recommendation 9: that the Aboriginal Justice Forum devote time and effort to the development of a justice workforce strategy, including strategies to boost Aboriginal employment in agencies and organisations assisting with the rehabilitation and treatment of offenders and prisoners/detainees

³⁸ Refer to www.atca.com.au/wp-content/uploads/2017/.../Wulunggo-Ngalu-Learning-Place.pdf

The experience of youth and young people

As noted previously, our data gathering centred on the experience of adults in the justice system although the subject of youth was never far from the discussion. Certainly, the RAJACs had identified youth as a priority focus area. There was a real desire to implement actions that would deter criminal behaviour and prevent first and ongoing contact with the criminal justice system. The focus on youth at RAJACs reflected a conviction that, with the right support, children would choose to refrain from criminal or anti-social behaviours.

Funding provided through the Community Initiatives Program, the Frontline Youth Program and the Koori Youth Crime Prevention Grants has delivered over \$2.5 million towards youth specific projects in the four study regions. The projects have largely focused on reconnecting young people, aged up to 24 years, with their culture, strengthening positive attitudes and self-esteem as well as providing opportunities to develop new skills. The data does not indicate whether the youth involved in these projects had been in contact with the criminal justice system. We have not been able to access any reporting on the whether the intended outcomes for these programs have been achieved.

Maintaining a focus on youth was being pursued at the regional (RAJAC) and state (AJF) level. There have been numerous short-term community programs and many government initiatives targeting youth. It was interesting that when regional stakeholders were asked to identify good practice that the programs most referenced were targeted to adults. We are uncertain as to why this is the case but offer the following suggestion. The strong desire to prevent offending behaviour before it happens requires programs that are typically the responsibility of non-justice agencies, that is, agencies with responsibility for family services, education, housing, health services and welfare provision. These agencies do sit at the AJA forums and have identified actions they will undertake to contribute to AJA objectives. If these actions are successful we can assume that the young person will have been diverted from the criminal justice system. If we are looking to measure a justice outcome (as opposed to an education or health outcome) we would have to measure the lack of contact and this is difficult. The adult programs that were offered as examples of good practice have direct justice outcomes. Their success (or not) is immediately evident. We wonder whether the inability to show the direct link to justice outcomes may create perception that the programs are not 'properly' justice programs.

We speculate that the transfer of youth justice to the DJR may exacerbate the disconnect between non-justice agencies and the business units of the DJR. While Youth Justice sat within the DHHS there was a connection between justice and other social services like health, housing, drug and alcohol, etc., at least at an agency level. It is too soon to know what effect the transfer of Youth Justice will have but it is worth keeping a watching brief on this at the regional and state level.

Recommendation 10: that a future evaluation have a primary focus on children and young people up to the age of 24, capturing prevention, early intervention and justice needs and interventions and including an evaluation of responses at key transitions in age and in pathways through services for young men and young women.

11.7.6. How well does the current mix of AJA3 activity (including processes, programs and services) respond to local community needs and drivers of Aboriginal contact with the justice system in each location?

AJA3 activity is variable across and within the four regions. The RAJAC in each region has been instrumental in identifying the main justice issues of concern. The RAJAC (and LAJACs) have a good understanding of the drivers for contact with the criminal justice system for their communities. As a

result, each RAJAC has identified one or two principal areas of focus and promote actions around those focus areas. This approach concentrates effort and would be expected to offer greater benefit than trying to resolve multiple issues simultaneously which is likely to stretch already thin resources.

Some constraints to action on specific issues are the result of centralised decision-making. Government agencies have some, but not extensive, autonomy at the regional level which limits their ability to respond to emerging issues in a timely way. In some cases, it requires a regional manager to refer the matter to their head office for a decision on what actions to put in place. This was the situation with the issues that were evident on the Prahran Housing Estate (Section 10.3).

Another factor impacting on the ability of the RAJAC to make progress on identified issues is the level of influence it has on government agencies (and others) that have their own priorities. These may not always coincide with the priorities of the collective RAJAC members. Government agencies have their own strategies to be pursued and for an agency like Education, for example, their strategies are not typically aimed towards improving justice outcomes. There is an acknowledgement that improving education outcomes can bring about improvement in justice outcomes (e.g. by keeping children engaged in education they are less likely to engage in criminal or anti-social activity) but it is not core business for the Department of Education.

It appears that the influence of RAJACs is increased where there are strong and active ACCOs and Aboriginal leadership advocating for action. It is improved where the ACCOs and leaders work collaboratively towards a shared goal rather than pursuing a singular organisational objective. The RAJAC provides a place to come together to agree on and prioritise objectives. The Koori Women's Diversion Program in Mildura is a good example where a program has been developed in response to a specific identified issue. The issue of women's imprisonment is complex but there was agreement that it was an issue that needed a different way of thinking about how to resolve it. The resolution is multi-faceted and depends upon collaboration and cooperation between key service providers.

In a separate evaluation of the partnership structures of the AJA we have advocated for RAJACs to revisit their Regional Justice Action Plans identifying the key issues in the region and providing a range of actions to address them. Our recommendation centres on limiting the number of actions to two or three priority areas and focusing on these over a period of 12 months. We reiterate that recommendation here.

Recommendation 11: that the Koori Justice Unit work with RAJACs to prioritise two to three key issues within their Regional Justice Action Plan that will be the focus of attention in the ensuing 12 months.

We have noted in the report that Barwon South West might best be thought as two regions – one centred around Geelong and the other the areas west of Geelong and including Warrnambool, Portland and Heywood. We consider the context in these two areas is sufficiently different to warrant a separation between the two. It is not that we advocate for the justice region to be redefined as such but if place-based initiatives are being considered for the Barwon South West region then there should not be an expectation that a program or initiative designed for Warrnambool will work in Geelong, and vice versa. Following place-based best practice this this would not occur as it would have been identified in the planning for the program or initiative. However, programs that are developed centrally and implemented locally may not necessarily take account of the contextual differences. The situation described for Barwon South West could equally apply in Loddon Mallee with the area around Ballarat being considered distinct from the area to the north around Mildura.

Similarly, in the Southern Metropolitan region there is a difference between communities in and around Dandenong and those further west.

We also note that the regional boundaries assigned by the DJR do not necessarily align to cultural boundaries that have meaning to the Aboriginal communities living there. It may be appropriate to redefine the geographic boundaries such that they more accurately reflect the communities living in them and the services that are available to those communities.

Recommendation 12: that, to better reflect different social, economic and environmental contexts, DJR determine the need for and benefits that might result from assessing needs and planning the delivery of AJA place-based initiatives at the level of sub-regions, towns and communities.

11.7.7. What are the opportunities to improve service, coverage and integration of AJA initiatives to progress justice outcomes in the locations?

This question has largely been covered in the discussion in the preceding sections and is not repeated here. Our key recommendations for improving service delivery centre on increasing the capacity (i.e. number of individual and organisational service providers across the state) and capability (i.e. the skills and expertise of Aboriginal employees in community and government organisations) of those with a responsibility or delivering justice services to Aboriginal offenders and prisoners.

The evidence-base for what works in justice services is lacking. Few evaluations, this one included, have explored the factors that make for successful programs in great depth. We have skimmed across the surface to identify that programs delivered with cultural relevance have shown to be successful at promoting engagement with the program and improving the social and emotional wellbeing of participants. To what extent this translates to reducing offending behaviours cannot be definitively stated. More research is needed. There are likely opportunities for collaboration between government agencies and academic institutions across the country. Similarly, agencies in Victoria might look to establishing collaborative research proposals with their counterparts in other jurisdictions. If the cost of research can be shared then the burden on one agency acting alone can be significantly reduced.

Recommendation 13: that opportunities to collaborate on research projects to evaluate success factors for program delivery to Aboriginal offenders and prisoners be investigated with a view to developing new or improving existing service delivery. The findings from the research should be publicly available on completion of the study to further knowledge sharing.

11.7.8. Is it possible to assess the cost and benefits of the AJA in each location?

We strongly believe there is a high potential for false calculations to emerge from an economic assessment of a complex program addressing a complex problem. The challenge is captured well by Payne (2006) who cautions on the use of cost evaluations in evaluations of specialty courts:

Cost evaluations, particularly cost–benefit evaluations are a crude measure of financial success because they only account for nominal benefits which can be valued in financial units. Such evaluations cannot determine or measure the other benefits derived from a specialty court program. For example, what monetary value can be placed on a participant’s capacity to re-kindle their relationship with an estranged family member? ... In this sense, cost evaluations ... often underestimate the true benefits delivered by a program to a participant and the community.

This could apply equally as well to an evaluation of the AJA. In our view the AJA presents even more challenges to cost evaluation than a specialty court. Just one case in point, how do we measure the costs and benefits of the hours that proponents of the AJA put into resolving issues that go beyond their paid role? In conducting this evaluation, we have been hard-pressed to definitely identify some programs as being under the umbrella of the AJA. Should we consider a program delivered by the Department of Education that helps to keep Aboriginal children in school as an AJA program even if it achieves positive justice outcomes. There are many more contributions that would not, and some might argue, cannot be monetised.

We are not suggesting that no analysis of costs and benefits should be conducted. We do caution that a diligent cost-benefit analysis will need to ensure all costs are identified, even those that are difficult to quantify. It is generally more difficult to quantify benefits. Economic benefits are generally more accessible and quantifiable than social benefits. In either case, there is a need for good data and this is patchy at best.

Programs and initiatives implemented under the AJA are being delivered by government agencies and community organisations, including some small organisations with very limited resourcing. We have encountered no robust evidence of the outcomes achieved by these programs. For most we have not been able to access any data on the activities conducted, nor outputs from those activities. This lack of data seriously undermines any efforts to understand the costs and benefits of the AJA. Until this data is routinely collected and shared with the KJU there is a real risk that an evaluation would inadequately account for all of the costs and all of the benefits.

Recommendation 14 – that systems for data collection during the implementation of Government programs be strengthened to monitor, track and evaluate the inputs, outputs and outcomes of the program. Further, where public funding is provided to community organisations these organisations should be supported to establish their own system for monitoring, tracking and evaluating the programs/projects enabled through the funding. Grant funding agreements should require grantees to provide ongoing monitoring data and a final evaluation report to the funding body throughout, and at the completion of the funding period. For AJA initiatives, such data should be made available to the KJU, if they are not the funder, to allow for the compilation of an AJA dataset that can be made available to future evaluation studies.

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Appendix A Stakeholders consulted

First name	Surname	Position/Title	Organisation
Joe	Day	Chair	Aboriginal Community Justice Panels
Justin	Homer	Member	Aboriginal Family Violence Partnership Forum
Antoinette	Braybrook	CEO	Aboriginal Family Violence Prevention and Legal Service
Darren	Smith	CEO	Aboriginal Housing Victoria
Esme	Bamblett (DR)	CEO	Aborigines Advancement League
Michael	Connelly	Youth Justice Worker	Ballarat and District Aboriginal Co-operative
Karen	Heats		Ballarat and District Aboriginal Co-operative
Jon	Kanoa	Director, Koori Family Services	Ballarat and District Aboriginal Co-operative,
Rebecca	Westphal	Local Justice Worker	Bendigo and District Aboriginal Co-operative
Andrew	Jackomos	Commissioner for Aboriginal Children and Young People	Commission for Aboriginal Children and Young People
Alannah	Easton	Supervisor, Court Case Manager	Corrections Victoria
Wayne	Harper	General Manager, Marngoneet Correctional Centre	Corrections Victoria
Janine	Holt	A/Manager Court Practice Bendigo CCS	Corrections Victoria
Tracy	Johnson	Manager Court Practice, Mildura CCS	Corrections Victoria
Tim	Kanoa	Former Manager of Naalmba Ganbu and Nerrlingu Yilam (Aboriginal Programs)	Corrections Victoria
Roberto	Lay	Advanced Case Manager, Broadmeadows CCS	Corrections Victoria
Michelle	Pellegrino	Justice Services Coordinator	Corrections Victoria
Damiano	Roda	Advanced Case Manager	Corrections Victoria
Alex	Rose	Aboriginal Parole Officer	Corrections Victoria
Luke	Searle	CCS Geelong Case Manager/Aboriginal Portfolio Manager	Corrections Victoria
Emelia	Senaya	Former Aboriginal Liaison Officer, Barwon Prison	Corrections Victoria
Jan	Shuard	Commissioner	Corrections Victoria
Gabrielle	Simmons	Aboriginal Parole Officer	Corrections Victoria
Tracey	Jones	General Manager, Dame Phyllis Frost Correctional Centre	Corrections Victoria
Lyndon	Turvey	Former Aboriginal Wellbeing Officer	Corrections Victoria
Raelene	Walker	Aboriginal Liaison Officer, Marngoneet	Corrections Victoria
Sally	Wolfe	Aboriginal Case Manager	Corrections Victoria
Aunty Lyn	Killeen	Aboriginal Liaison Officer, DPFCC	Corrections Victoria
Linda		Assessment & Transition Coordinator, DPFCC	Corrections Victoria
Rosa		Remand Coordinator, DPFCC	Corrections Victoria
Tom	Jose	Aboriginal Liaison Officer, Marngoneet	Corrections Victoria

First name	Surname	Position/Title	Organisation
Paul	Grant	Judge, Supreme Court of Victoria	Courts Services Victoria
Simone	Gristwood	Manager Koori Family Violence	Courts Services Victoria
Peter	Lauritson	Chief Magistrate	Courts Services Victoria
Wayne	McEwen	Koori Community Engagement Officer, Magistrates Court	Courts Services Victoria
Andrew	Gardiner	CEO	Dandenong & District Aborigines Co-operative Ltd
Angela	Singh	Executive Director, Koorie Outcomes Division, Early Childhood and School Education Group	Department of Education and Training
Nicole	Foy	Koorie Cultural Advisor, Lookout Centre, South Western Victoria Region	Department of Education and Training
Chris	Asquini	Deputy Secretary, Children, Families, Disability and Operations	Department of Health and Human Services
Anne	Congleton	Deputy Secretary, Community Participation, Health and Wellbeing Division	Department of Health and Human Services
Anita	Francis	DHHS Southern Metropolitan Region	Department of Health and Human Services
Nicola	Jeffers	Director, Central Highlands Area	Department of Health and Human Services
Lorraine	Langley	Acting Assistant Director, System Policy and Integration, Mental Health Branch	Department of Health and Human Services
Taryn	Lee	Acting Director, Aboriginal Health and Wellbeing Branch	Department of Health and Human Services
Jenny	Lisas	DHHS Southern Metro	Department of Health and Human Services
Roxanne	Mayer-Marks	Aboriginal Liaison Officer	Department of Health and Human Services
Di	Mosseton	DHHS Southern Metro	Department of Health and Human Services
Phillip	Perry	Grampians Regional Director, DHHS	Department of Health and Human Services
Kaylee	Anderson	Senior Grants Lead, Koori Justice Unit	Department of Justice and Regulation
Vicki	Atkinson	RAJAC Executive Officer, Northern Metropolitan	Department of Justice and Regulation
Leanne	Barnes	Executive Director, West Area and Barwon South West Region	Department of Justice and Regulation
Tom	Bell	Deputy Director & Manager Stakeholder Engagement, Koori Justice Unit	Department of Justice and Regulation
William	Bethune	Regional General Manager, Community Correctional Services	Department of Justice and Regulation
Will	Crinall	Regional Director, Gippsland	Department of Justice and Regulation
Patsy	Doolan	Project Officer , LAJAC, Loddon Mallee	Department of Justice and Regulation
Peter	Ewer	Acting Executive Director, North Metropolitan Region	Department of Justice and Regulation
Carolyn	Gale	Deputy Secretary, Service Strategy Reform	Department of Justice and Regulation
Antoinette	Gentile	Director, Koori Justice Unit	Department of Justice and Regulation
Matthew	Graham	RAJAC Executive Officer, Grampians	Department of Justice and Regulation
Jarrold	Hughes	(former) RAJAC Executive Officer, Southwern Metropolitan	Department of Justice and Regulation
Kylie	Kilgour	Deputy Secretary, Criminal Justice Strategy and Co-ordination	Department of Justice and Regulation
Anne-Maree	Kirkam	RAJAC Executive Officer, Western Metropolitan	Department of Justice and Regulation
Nicole	LeSage	Executive Officer, Gippsland RAJAC	Department of Justice and Regulation

First name	Surname	Position/Title	Organisation
Gabrielle	Levine	Regional Director, Southern Metropolitan Region	Department of Justice and Regulation
Aislinn	Martin	Manager, Strategic Initiatives, Koori Justice Unit	Department of Justice and Regulation
Allan	Miller	RAJAC Executive Officer, Barwon South West	Department of Justice and Regulation
Lisa	Moore	Manager, Policy Coordination, Koori Justice Unit	Department of Justice and Regulation
Mary	Morison	Manager, Community Programs, Koori Justice Unit	Department of Justice and Regulation
Paula	Murray	RAJAC Executive Officer, Loddon Mallee	Department of Justice and Regulation
Jan	Noblett	Executive Director, Justice Health	Department of Justice and Regulation
Sam	Nolan	RAJAC Executive Officer, Eastern Metropolitan	Department of Justice and Regulation
Sharon	Paten	Manager, Aboriginal Portfolio	Department of Justice and Regulation
Nicola	Perry	Acting Executive Officer, RAJAC Loddon Mallee LAJAC	Department of Justice and Regulation
Peter-Shane	Rotumah	RAJAC Executive Officer, South Eastern Metropolitan	Department of Justice and Regulation
Amelia	Seymoure	RAJAC Executive Officer, Southern Metropolitan	Department of Justice and Regulation
Annette	Stephens	Acting General Manager, Community Correctional Services	Department of Justice and Regulation
Greg	Wilson	Secretary, Department of Justice and Regulation	Department of Justice and Regulation
Thomas	Hugh	Acting Director, Aboriginal Affairs Policy	Department of Premier and Cabinet
Larry	Kanoa	Aboriginal Victoria	Department of Premier and Cabinet
Sue	Clifford	CEO	Family Safety Victoria
Jason	Kanoa	CEO	Gunditjmara Aboriginal Co-operative
Rebecca	Lannen	Director	Indigenous Affairs Network, Department of Prime Minister and Cabinet
Brendan	Facey	Executive Director	Infringement Management & Enforcement Services
Brian	Bissell	Manager, Divisional Operations, Barwon South West Region	Infringement Management and Enforcement Services
Tegan	Smirl	Sheriff's Aboriginal Liaison Officer	Infringement Management and Enforcement Services
Roger	Williams	Regional Manager, Sheriff's Operations, North Area	Infringement Management and Enforcement Services
Josephine	Boffa		Jesuit Social Services
Zeta	Thomson	Manager	Koori Independent Prison Visitor Program
John	Mitchell	Deputy CEO	Njernda Aboriginal Corporation
Corey	Wanganeen	Local Justice Worker	Njernda Aboriginal Corporation
Tegan	Wanganeen	Youth Justice Worker	Njernda Aboriginal Corporation
Troy	Austin	Deputy Chair, Northern Metropolitan	RAJAC
Linda	Bamblett	Chair, Northern Metropolitan	RAJAC
Aileen	Blackburn	Chair, Gippsland Region	RAJAC
Marion	Hansen	Chair, Southern Metropolitan	RAJAC
Tony	Lovett	Chair, Grampians Region	RAJAC

First name	Surname	Position/Title	Organisation
Annette	Vickery	Chair, Western Metropolitan	RAJAC
John	Bell	Chair Barwon South West RAJAC	RAJAC
Jemmes	Handy	Chair, Loddon Mallee RAJAC	RAJAC
Kym	Monaghan	Co-Chair Barwon South West RAJAC	RAJAC
Robert	Nicholls	Chair, Hume Region	RAJAC
Lois	Peeler	Chair, Eastern Metropolitan	RAJAC
Graham	Ashton	Chief Commissioner	Victoria Police
Graham	Banks	South West Metropolitan Division	Victoria Police
Bernie	Cowley	PALO Echuca	Victoria Police
Jonathon	Henderson	Aboriginal Community Liaison Officer	Victoria Police
Paul	Hollowood	Superintendent, Dandenong Division	Victoria Police
Shane	Keogh	Warnambool	Victoria Police
Peter	Lake	Barwon South West Region RAJAC Member	Victoria Police
Tony	Ryan	Inspector	Victoria Police
Stewart	Taylor	Aboriginal Community Liaison Officer	Victoria Police
Jeannie	McIntyre	Beyond Survival Program Coordinator	Victorian Aboriginal Child Care Agency
Muriel	Bamblett	CEO	Victorian Aboriginal Childcare Agency
Jill	Gallagher	CEO	Victorian Aboriginal Community Controlled Health Organisation Inc
Geraldine	Atkinson	Chair	Victorian Aboriginal Education Association Inc.
Alfie	Bamblett	Chair	Victorian Aboriginal Justice Advisory Committee
Wayne	Muir	CEO	Victorian Aboriginal Legal Services
Tenisha	Ellis	Local Justice Worker, Northern Metropolitan	Victorian Aboriginal Legal Services
Darah	Morris	Local Justice Worker, Northern Metropolitan	Victorian Aboriginal Legal Services
Jidah	Clark	Senior Advisor, Aboriginal Policy and Research	Victorian Equal Opportunity and Human Rights Commission
Catherine	Dixon	Executive Director, Commissioner's Office	Victorian Equal Opportunity and Human Rights Commission
Rod	Jackson	CEO	Wathaurong Aboriginal Co-operative
Michael	Bell	CEO	Winda-Mara Aboriginal Corporation

In addition to these organisational stakeholders we also interviewed 36 male prisoners housed at Marngoneet, Barwon and Loddon prisons and nine female prisoners at Dame Phyllis Frost Centre. Eleven adult offenders (3 women and 8 men) on CCOs also participated in one-on-one interviews. We have not named these interviewees to maintain the confidentiality of their contributions.

Appendix B Key achievements of the AJA (2015-16)

Unit or Organisation Project / Activity Name	Brief description – what was it, who was involved, funding & resources etc
Koori Justice Unit	
1. Local Justice Worker /Koori Offender Support and Mentoring Programs Remodelling.	<ul style="list-style-type: none"> The Local Justice Worker and Koori Offender Support and Mentoring Programs work with offenders to complete their CCOs and resolve outstanding fines and warrants. Workers are located in ACCOs in 18 locations around Victoria and partner with local Community Corrections Officers, Sheriff's officers and Police to provide a community based response to justice issues.
2. The Koori Women's Diversion Program	<ul style="list-style-type: none"> The Koori Women's Diversion Program places Aboriginal women in the criminal justice system into community-based alternatives with intensive case management to break the cycle of victimisation, violence and offending. <ul style="list-style-type: none"> o It addresses the drivers of offending behaviour for Koori women, which includes experiencing family violence, substance abuse, mental health issues and homelessness.
Criminal Law, DJR	
3. Bail Amendment Act 2016	<ul style="list-style-type: none"> Koori young people have been particularly affected by bail reforms introduced in 2013 that made it an offence to breach a condition of bail. Large numbers of children were being arrested for breaches and then refused bail, resulting in increasing numbers of children on remand. This offence was brought in by the former Coalition government in 2013, and was repealed by State Parliament in February this year.
Victim Support Agency, DJR	
4. DJR funded Victims Assistance Program (VAP)	<ul style="list-style-type: none"> Funding and recruitment of additional 2 Aboriginal Victim Support Workers for Eastern metro and North Metro VAP services Establishment of Aboriginal victim support workers in Gippsland and Grampians
Office of Correctional Services Review, DJR	
5. Recruitment of Koori Independent Prison Visitors (IPV) to the Independent Prison Visitor Scheme	<ul style="list-style-type: none"> o The IPV Scheme is a volunteer program with a ministerial advisory function. Its purpose is to engage volunteers to provide independent, objective advice from a community perspective to the Minister about the operation of Victoria's prison system through regular observations of daily prison routines. o Recruiting Koori IPVs is a key focus area to ensure that Koori prisoners have access to a Koori IPV, in addition to other IPVs.

Dispute Settlement Centre Victoria	
6. DSCV Koori Community Engagement program	<ul style="list-style-type: none"> DSCV's community engagement program uses existing resources to promote awareness of good conflict management techniques and build community capacity to resolve their own conflict.
Infringement Management and Enforcement Services	
7. Aboriginal Community Fines Initiative	<ul style="list-style-type: none"> The Aboriginal Community Fines Initiative is a new initiative designed to assist the Aboriginal community to engage with the infringements system. The initiative is run by the Director Fines Victoria with support from IMES together with the RAJAC EO's for the South East Metropolitan Region. The initiative is also run in collaboration with local community groups, Local Justice Workers and SALO's. The initiative provides the Aboriginal Community with information on the infringements process including options to assist with outstanding infringements, including assistance with payment arrangements and enforcement review applications.
8. Provide financial support to the Local Justice Worker Program and Sheriff's Aboriginal Liaison Officers	<ul style="list-style-type: none"> The LJWP assists Aboriginal offenders with managing fines and outstanding warrants, and successfully completing community based orders to reduce breach rates. The SALO liaises between the Aboriginal community and the Sheriff's Office to assist Aboriginal people to address their outstanding infringements. IMES has provided funding for both the LJWP and SALO programs including funding for 4 SALOs in 2014/15 and 5 SALOs in 2015/16.
Corrections Victoria	
9. Kaka Wangity Wangin- Mirrie – Aboriginal Cultural Programs Grants Scheme.	<ul style="list-style-type: none"> CV released its Kaka Wangity Wangin-Mirrie – Aboriginal Cultural Programs Grants on 6 April 2016. These grants sought submissions from Aboriginal organisations to deliver programs under 5 key areas including, cultural strengthening, healing, parenting, family violence and women.
10. Aboriginal Prisoners Transition Housing Project	<ul style="list-style-type: none"> \$2.6million has been allocated for the development of this project. This project will build two purpose-built facilities, one for males and one for females that will function as a short term transitional facility Aboriginal Housing Victoria (AHV) and the Victorian Aboriginal Legal Service (VALS) will be responsible for the delivery of the project that is overseen by the Governance Group made up of representatives from CV, DHHS, AHV and VALS.

11. Aboriginal Disability Reintegration Pathway Programs (ADRPP)	<ul style="list-style-type: none"> CV engaged the Australian Community Support Organisation to implement a six-month pilot Aboriginal Disability Reintegration Program (ADRPP) The aim of the ADRPP is to assist participants to be release ready by providing them with the opportunity to build their cultural strength, identity and understanding. The program further aims to give participants an understanding of how their disability affects them in their everyday life in a family and community setting, and how to overcome the challenges they face due to their disability. Target cohort for this program are Male Aboriginal and Torres Strait Islander prisoners located in PPP that are identified with a disability or acquired brain injury. The program delivered group sessions delivered by a facilitator with involvement of mentors. Sessions will include cultural group sessions, disability group sessions, one on one sessions.
12. Corrections Victoria Reintegration Pathway (CVRP)	<ul style="list-style-type: none"> As part of the CVRP the Victorian Aboriginal Legal Service has been engaged as a complimentary service to deliver a <i>ReConnect</i> program for Aboriginal prisoners and offenders. In addition, the following mainstream organisations deliver the <i>ReConnect</i> program; Jesuit Social Services, Australian Community Support Organisation, Victoria Association for the Care and Resettlement of Offenders.
Justice Health	
13. The Aboriginal Social and Emotional Wellbeing Plan (ASEWP)	<ul style="list-style-type: none"> The Aboriginal Social and Emotional Wellbeing Plan (ASEWP) was formally endorsed at AJF 40 in 2014 and released by the Department of Justice and Regulation on 19 March 2015. Since its release, Justice Health and Corrections Victoria have commenced implementing key actions outlined in the Plan.
14. Evaluation of initiatives under the ASEWP	<ul style="list-style-type: none"> Evaluation of initiatives under the ASEWP
15. Aboriginal Clinical Consultant	<ul style="list-style-type: none"> The Aboriginal Clinical Consultant (ACC) will build capacity and develop best practice in health and mental health staff operating in Victoria's public prisons. The ACC position provides expert advice and conducts secondary consultations and is to be a guide for health staff working in prisons to support and enhance service responses to Aboriginal and/ or Torres Strait Islander prisoners.
16. Provision of cultural safety training (CST) to health services staff in prisons	<ul style="list-style-type: none"> Provision of cultural safety training (CST) to health services staff in prisons
17. Provision of Mental Health Assessment Training (MHAT) to health services staff in prisons	<ul style="list-style-type: none"> Provision of Mental Health Assessment Training (MHAT) to health services staff in prisons
18. Justice Health Koori Tertiary Scholarships Program	<ul style="list-style-type: none"> Justice Health has awarded five students scholarships in two rounds under the program since May 2015. In May 2015, Justice Health awarded scholarships to two nursing students In December 2015, Justice Health awarded three further scholarships to successful applicants studying in the fields of nursing, psychology and medicine.

19. Continuity of Health Care Pilot	<ul style="list-style-type: none"> The Continuity of Aboriginal Health Care Pilot is an initiative under the Plan to support continuity of health care for sentenced Aboriginal and/or Torres Strait Islander prisoners on release from prison. The pilot is an opportunity for culturally safe health services in the community to enhance continuity of health care and contribute to the design and delivery of a Victorian transitional health service with a strong focus on Aboriginal concepts of health and wellbeing. There will be three pilot sites operating from September 2016 to July 2018 at Dhurringile Prison, Fulham Correctional Centre and the Dame Phyllis Frost Centre.
20. Health literature and resource list	<ul style="list-style-type: none"> A qualitative review conducted by the JH operations and quality team in Q3 2014-15 found that there was inconsistent use of culturally specific health literature in prison health services. In response Justice Health has developed a health literature and resource list primarily for the use of health service providers in the Victorian prisons.
21. 44 hour Criminogenic AOD program	<ul style="list-style-type: none"> The 44-Hour Koori AOD Criminogenic Program is a culturally appropriate forensic AOD treatment program for moderate to high risk male Aboriginal and/or Torres Strait Islander prisoners The aim is to provide effective drug and alcohol treatment that targets the relationship between substance use and offending in a way that is culturally secure.
Courts Services Victoria	
22. Family Drug Treatment Court (FDTC) in the Melbourne Children's Court at Broadmeadows.	<ul style="list-style-type: none"> Not Koori specific but a therapeutic court to assist families with entrenched/significant alcohol and other drug use where this impacts on the capacity to parent effectively. FDTC clinicians work with families, are culturally aware and have an understanding of court processes
23. Koori Hearing Day (Marram-ngala Ganbu) at the Children's Court (Family Division) at Broadmeadows	<ul style="list-style-type: none"> Koori Hearing Day where matters can be listed and 'docketed' to the one day Support received by services/agencies for a presence on the day (FV, MH VACCA etc.).
24. Koori Court Model and County Koori Court Model expansion.	<ul style="list-style-type: none"> Advocate for continued expansion of the Koori Court model in both metropolitan and regional Magistrates' and Children's courts Improved cultural sensitivity of court processes
25. Koori Courts complaint process.	<ul style="list-style-type: none"> Review and formalise complaints processes for Koori Courts to ensure consistency with mainstream equivalent. Disseminate policy to relevant staff. Complaint(s) processes to accommodate both non-judicial and judicial members. Establish a complaints register that records each Koori related complaint and what action was taken.
26. Elders and Respected person Human Resources Manual.	<ul style="list-style-type: none"> Develop a Human Resources Manual for Elders and Respected Persons who sit on Koori Courts (outlining recruitment, appointment, complaint processes, conflicts of interest, travel allowances, and remuneration etc.)
27. Koori Courts Conference	<ul style="list-style-type: none"> More coordinated and collaborative program/service delivery (across agencies and between community and government) Aim to provide professional development and networking opportunities

28. Service Mapping exercise for Courts Programs	<ul style="list-style-type: none"> Improved coordination of services Local service mapping raises awareness of specific support provided by Aboriginal Community Health Services. Koori Court Officers mapping services and stakeholders as part of community engagement exercise.
29. Koori Employment Policy	<ul style="list-style-type: none"> Develop and implement a Koori Recruitment and Koori Employment Policy for implementation across CSV
30. CISP and Credit Bail Program.	<ul style="list-style-type: none"> Support and continue the expansion of the CISP and Credit Bail programs across the state with the aim to reduce the likelihood of imprisonment
31. Bail Support Programs	<ul style="list-style-type: none"> Increased access to culturally appropriate support whilst on bail
32. Court Services Victoria Koori Inclusion Action Plan (CSV KIAP)	<ul style="list-style-type: none"> Review the CSV KIAP and develop Koori Resource Kits for each Jurisdiction. Launch the CSV KIAP Improved capacity for monitoring implementation of the KIAP
33. Data Paper/Update	<ul style="list-style-type: none"> To improve evidence base for decision making OR Improve quality of Aboriginal data Undertake providing annual targeted data updates to the AJF relating to Aboriginal specific data. The updates will include data from Koori Courts, CISP and Family Violence.
34. Sentencing Advisory Council	<ul style="list-style-type: none"> Complete the second stage of the Sentencing Advisory Council research project on sentencing outcomes for Koories. Compare sentencing outcomes for Koori and non-Koories in the Magistrates' and higher courts, taking into account current and prior offending.
35. Follow up and seek Koori community membership on the Sentencing Advisory Council	<ul style="list-style-type: none"> Increased community input in governance and decision making
36. Family violence perpetrator programs/support	<ul style="list-style-type: none"> Increase the numbers of people seeking help for violence Lobby and advocate the development of early intervention programs in partnership with community / organisations
37. Koori Family Violence Victim and Applicant Program (MCV)	<ul style="list-style-type: none"> Programs / services and facilities more culturally appropriate / safe Encourage the Melbourne, Sunshine and Ballarat Family Violence Courts to continue supporting Koori clients and accessing Koori appropriate services.
38. Koori Court Officer (KCO) role in FV perpetrator Program referral	<ul style="list-style-type: none"> Koori Court Officer and other personnel continue to engage and maintain relationships with Koori community organisations who deliver culturally appropriate programs targeted at men who perpetrate violence towards family members
39. VOCAT family violence and victim support services	<ul style="list-style-type: none"> Improved response, supports and resources for victims Continue to engage and maintain relationships with family violence and victim support services, including VOCAT, who delivery culturally appropriate programs. The aim being to increase program participation by victims of family violence.

Victoria Police	
40. Koori Youth Cautioning Pilot Program	<ul style="list-style-type: none"> Victoria Police previously conducted a pilot program which aimed to test a model of Koori- specific child and youth cautioning that might reduce barriers to cautioning and increase the rate of cautioning for Aboriginal and Torres Strait Islander young people. The program, known as the Koori Youth Cautioning Pilot Program, involved the removal of the requirement to admit responsibility for the alleged offence and required police members to submit a 'Failure to Caution' notice if choosing an alternative method of processing. Importantly, the program also focused on the provision of culturally relevant referral and follow-up.
41. Building Cultural Capability, Aboriginal Cultural Awareness	<ul style="list-style-type: none"> Increasing inclusiveness, particularly promoting and facilitating Aboriginal cultural respect training for Victoria Police employees, is a priority under the Victoria Police Aboriginal and Torres Strait Islander Employment Plan 2014-2018.
42. Implement the Aboriginal Community Liaison Officer/Police Aboriginal Liaison Officer Service Delivery Model	<ul style="list-style-type: none"> There are currently nine ACLOs located throughout Victoria that report directly under the Victoria Police operational regions, and a state-wide coordinator located within the Priority Communities Division, Corporate Strategy and Operational Improvement Department. ACLOs are Victoria Police employees who work to improve relationships and trust between Aboriginal communities and police. ACLOs play an important role in cross-cultural communication – providing police with a greater awareness of local issues and cultural protocols to improve the effectiveness of services and responses provided to Aboriginal people. They also provide community with a greater understanding of police protocols and practices. <ul style="list-style-type: none"> Police Aboriginal Liaison Officers (PALOs) are Victoria Police Officers who perform operational duties, in addition to performing the Aboriginal portfolio role. PALOs have a liaison role, both independently and in partnership with ACLOs, to resolve issues concerning Aboriginal people within their local area.
43. Standard Indigenous Question	<ul style="list-style-type: none"> Victoria Police and other policing jurisdictions have adopted the Standard Indigenous Question (SIQ) as endorsed by the Australian Bureau of Statistics. Victoria Police supports initiatives which raise awareness in the Aboriginal and Torres Strait Islander communities about the importance of identifying as an Indigenous person when engaging with government services.
44. Victoria Police Aboriginal & Torres Strait Islander Employment Plan 2014-2018	<ul style="list-style-type: none"> Victoria Police launched its Aboriginal and Torres Strait Islander Employment Plan in early 2014.
45. Ensure the welfare of Koories in the justice system, particularly in prisons	<ul style="list-style-type: none"> Ensure the safety and welfare of Aboriginal persons held in police custody within a human rights framework.
46. Koori Family Violence Police Protocols	<ul style="list-style-type: none"> Launch and implementation of the Koori Family Violence Police Protocols
47. Report Racism Pilot	<ul style="list-style-type: none"> The Victorian Equal Opportunities and Human Rights Commission (VEOHRC) has partnered with Victoria Police and the Victorian Aboriginal Legal Service (VALS) to pilot a Third Party Reporting (Report Racism) Scheme to allow people to report incidents of racially motivated crime or racial vilification to/through a community organisation, rather than directly to police.

Drug Policy and Services, DHHS	
48. Investigation of responses to public intoxication on behalf of the alcohol and other drugs and mental health Koori Reference Group	<ul style="list-style-type: none"> DHHS commissioned DLA Piper to conduct a rapid review of the literature on service model responses and other interventions for public intoxication, both in Australia and other relevant jurisdictions, with reference to Aboriginal populations. The purpose of the review was to gather research, evidence and information about the range of different health and justice related responses to public intoxication. The review considered literature published between 2005 and 2015 on how to reduce harm to people who are intoxicated in public.
49. Improving access to Wulgunggo Ngalu Learning Place for clients requiring withdrawal	<ul style="list-style-type: none"> Wulgunggo Ngalu Learning Place is funded by DJR to provide a culturally safe community for Aboriginal men to fulfil the requirements of their Community Correction Orders and build cultural connections. The Aboriginal Justice Forum identified that access to timely withdrawal from alcohol and other drugs is a barrier to access for some men wishing to attend Wulgunggo Ngalu. People are expected to maintain abstinence while at the site and so withdrawal is sometimes necessary prior to attendance.
50. Access to Pharmacotherapy in Healesville	<ul style="list-style-type: none"> The Eastern RAJAC highlighted an ongoing issue with the lack of pharmacotherapy available within the outer East area, particularly in the Healesville area. The Victorian model of dispensing methadone by community pharmacies is currently not available in Healesville as the owner of the two pharmacies in Healesville has not been willing to dispense methadone DHHS provided funding to Eastern Health to employ a project worker to scope possible models of pharmacotherapy dispensing in Healesville and the sustainability of these models. The project officer, in collaboration with the South East Area Pharmacotherapy Network Eastern coordinator has been exploring options for the dispensing of Methadone in Healesville.
51. Aboriginal Metropolitan Ice Partnership Pilot	<ul style="list-style-type: none"> A pilot initiative, which commenced in February 2015, is being implemented across four metropolitan areas to help improve access to services for Aboriginal people affected by ice and other drugs. It will continue under current arrangements until 30 June 2017. Working in partnership, selected Aboriginal-controlled community organisations and mainstream alcohol and drug service providers are providing assertive outreach and treatment, as well as help to streamline access to more intensive services where required. Key objectives include: <ul style="list-style-type: none"> build the capacity of mainstream alcohol and other drug services to provide culturally-responsive care for Aboriginal people strengthen the capacity of ACCOs to provide effective treatment and support for ice and alcohol and other drug issues develop evidence and best practice on effective approaches and practices

Victorian Equal Opportunity and Human Rights Commission	
52. Aboriginal Cultural Rights	<ul style="list-style-type: none"> Although Aboriginal cultural rights are protected under the Charter of Human Rights and Responsibilities Act 2006, preliminary evidence suggests that they are rarely raised in courts or tribunals, used as an advocacy tool by Aboriginal peoples, or used as an engagement tool by public authorities. This project aimed to increase awareness, understanding and use of Aboriginal cultural rights so that they are used as part of everyday interactions between public authorities and Aboriginal Victorians.
53. Report Racism	<ul style="list-style-type: none"> Research conducted by the Commission found that racism and conduct motivated by racial or religious hatred is a daily experience for many Aboriginal Victorians, but that most Aboriginal people choose not to report the racism that they experience or witness. To address the issues identified by the research the Commission collaborated with Victoria Police and the Victorian Aboriginal Legal Service to trial a third party reporting system. Third party reporting allows an individual to report racial vilification or discrimination to a community organisation, rather than directly to police or a regulator. The Commission worked with the Regional Aboriginal Justice Advisory Committees (RAJACs) to select Shepparton and Northern Melbourne (Cities of Yarra, Darebin and Whittlesea) as the two trial sites.
RAJACS	
Hume RAJAC	
54. Mansfield Local Aboriginal Network for NAIDOC celebrations	<ul style="list-style-type: none"> 2015 NAIDOC Celebrations Day in Mansfield, attended by approximately 250 people
55. Youth of the River	<ul style="list-style-type: none"> The project focused on prevention of crime by providing diversionary activities – the gathering space allows for young people to discuss offending rationale and education would be available to enforce the long term ramifications of offending.
56. Burraja; Koori Prisoner support	<ul style="list-style-type: none"> The project established a native bush tucker garden and outdoor living space, whilst delivering on- the-job training opportunities to participating prisoners. The prisoners will benefit from additional opportunities to meet, talk and network with local Elders and Aboriginal workers from various social sector agencies & organisation that can provide ongoing support to the prisoners as they prepare themselves for transitions & reintegration into the community upon release. External stakeholder included; Wodonga TAFE, Wodonga City Council, Mungabareena Aboriginal Corporation and Beechworth Correctional Centre – Burraja Executive Group.
57. T-Shirt development group	<ul style="list-style-type: none"> The T-shirt Development Group is represented by a small group of Aboriginal people from the Seymour area who were involved in developing a t-shirt design that was aimed a raisin awareness about Alcohol harms and drinking Alcohol responsibly and to prompt people to talk about Alcohol and if necessary seek help.
58. Murray River Marathon	<ul style="list-style-type: none"> The overall budget is based on estimated figure of \$500 per person.
59. VACSAL junior Sports Carnival	<ul style="list-style-type: none"> The VACSAL junior sports carnival is a Drug & Alcohol-free event that promotes health life style choices.

60. Deadly Start Program	<ul style="list-style-type: none"> 6-week program for Aboriginal young people aged 12 -17 aimed to empower youth that may be experiencing disengagement within their school, social or family environment, and those that may be at risk of being involved in anti-social behaviour resulting in them coming before the courts Partners; Mungabareena Aboriginal Corporation, Gateway Health, Wodonga Raiders Football/Netball Club, Juvenile Justice & Hume RAJAC
Northern Metro RAJAC	
61. Aboriginal Men's Forum	<ul style="list-style-type: none"> A meeting of Aboriginal men / fathers from within the NM region came together to discuss issue of concern and share their experiences as fathers in our community Presentations by services in the community including the Child Protective Services The men discussed issues of grief and loss. This session identified a sense of frustration from the men who believe that there is a gap in services and that there are a lot of forums that discuss issues but the men want more practical interactive activities Some men have difficulty / are denied access to their children once they are separated from their families. The men requested a Fathers and Children activity so that they can connect to their children in a fun and safe environment
62. Father's Fun Day	<ul style="list-style-type: none"> A collaboration of Aboriginal and mainstream services coordinated a family centred approach to connect men to their children. Where possible this event incorporated the father, children's and the children's mother
63. Aboriginal CMRM	<ul style="list-style-type: none"> The Department of Justice and Regulation (DJR), North West Metro Area invited Aboriginal organisations have Government agencies to attend Aboriginal Case Management Review Meetings (CMRM). The CMRMs provides a forum that identifies achievements and challenges experienced by Aboriginal offenders on Community Correction Orders A key support for this program has been the involvement of various programs including the Koori Offender Support & Mentoring Program and the Local Justice Worker program, these programs are funded by the Koori Offender Support & Mentoring Program
64. Northern Police Aboriginal Consultative Committee (NPACC)	<ul style="list-style-type: none"> The NM RAJAC advocated for a mechanism to strengthen the relationship between the Aboriginal community and the local Police. The NPACC has been established to identify systemic issues to improve Police's engagement with the Aboriginal community. The NPACC receive updates on issues such as Police Aboriginal Family Violence Protocols, Cultural Awareness Training for local Police and the work of the Police Aboriginal Liaison Officers and the Aboriginal Community Police Liaison Officer The NPACC has initiated the development of a Youth Cautioning program and diversionary options to reduce the level of Aboriginal youth that are being incarcerated

65. Men's Social and Emotional Wellbeing Camp	<ul style="list-style-type: none"> Men's Social and Emotional Wellbeing camps have been held to support disadvantages Aboriginal men to engage with Aboriginal and non-Aboriginal services to support their health and wellbeing For many of the men they have a longing to connect to country and participation in cultural activities, the men's health and wellbeing is also addressed in this environment as the men are removed from the distraction and stresses of their daily lives
66. Legal Health Check Day	<ul style="list-style-type: none"> The Victorian Aboriginal Health Service & Victorian Aboriginal Legal Service coordinated a Legal Health Checks event to provide information to Aboriginal community members with the information about services that are available to the community
67. Fitzroy Stars Partnerships in Sport	<ul style="list-style-type: none"> The Fitzroy Stars Football & Netball Club (FSFNC) have been supported to develop partnerships with key agencies to address issues within the Aboriginal community actively promote / engage community in healthy lifestyle activities The programs that have been developed through these partnerships provide strong diversion from the Justice system for the participants of FSFNC and their families.
68. Fitzroy Stars Young Stars	<ul style="list-style-type: none"> The Fitzroy Stars Young Guns is a project to engage children, youth and families in healthy lifestyle programs A major component of this project is the Aus. Kick program that has drawn participants from across the region The FSFNC will utilise the success of the senior football & Netball Club and the Aus. Kick program to commence a junior program in 2017 and beyond
69. Elders Forum	<ul style="list-style-type: none"> An Aboriginal Elders Forum was held to promote services to Elders in the community. A range of services attended this forum including the SALO, Consumer Affairs, VALS, Police and financial services.
70. KOSMP	<ul style="list-style-type: none"> The Koori Offender Support and Mentor Program (KOSMP) has provide support to male and female offenders on Community Correction Orders The KOSMP coordinator has attended the Aboriginal Case Management Review Meetings in the region and has been a support for the NWMA Regional Director at Administrative Review Hearings
71. LJW	<ul style="list-style-type: none"> The Local Justice Worker (LJW) program employs a worker to assist Aboriginal offenders on CCOs and assist community members to address outstanding fines and respond to warrants. The LJW coordinator has attended the Aboriginal Case Management Review Meetings in the region
72. Massive Murray Paddle	<ul style="list-style-type: none"> The Massive Murray Paddle (MMP) provides an opportunity for Aboriginal services to link with young community members at risk of contact with the Justice system The MMP connects the youth to Police, Sheriff's officers, Youth Justice Workers and other services The MMP provide the opportunity and agency staff and the youth to get to know each other and understand the issues that each party is dealing with. There have been some great transformations in attitude by staff and youth that have attended the MMP
73. Koori Youth Leadership in Action (KYLA) program	<ul style="list-style-type: none"> The KYLA program is a cultural and educational program to support children and youth in out of home care
Eastern Metro RAJAC	

74. Eastern Eaglehawks	<ul style="list-style-type: none"> The Eastern Eaglehawks is an initiative that supports disengaged Koori men from the Eastern region. The Eaglehawks Football team helps support young men through football to engage in further education and training pathways. The Eaglehawks partnership engages, Victoria Police, Hawthorn Football club, Epic Good foundation, Eastern RAJAC, Worawa Aboriginal College. Funding is auspiced through Worawa Aboriginal College and has been supported by RAJAC, KJU Frontline funding and previously IFVRAG CIF Funding.
75. Culture Group	<ul style="list-style-type: none"> Culture Group at the MMIGP gathering place was identified as a key community mechanism in creating culturally stronger Koori kids in the eastern region The group is conducted by two community elders and based at MMIGP Gathering place. Over 30 Koori kids are engaged in the program and perform Dance, Song, and Speak language and engage in performances building their confidence and strength within the community.
76. Implementation of Koori Case Management Review Meetings	<ul style="list-style-type: none"> The EMR has held 10 CMRM and they occur monthly. Koori CMRMs involve intensive case management of at-risk Koori offenders and include a local Elder, LJW, RAJAC EO.
77. Pharmacotherapy Delivery in the Healesville Area	<ul style="list-style-type: none"> Over three years the Eastern RAJAC has been advocating strongly with DHHD, DHS, and Eastern Health to address the gap of no dispensing of Pharmacotherapy in the Healesville area. The main issue was highlighted about the lack of communication between government departments and the lack of communication from the head office to regional office. Other key issues presented as who is responsible for the delivery, what network or partnership would address the issue, issues of duplication and funding responsibility.
78. Community Justice Information Days	<ul style="list-style-type: none"> Community Justice Information days are heavily supported by the RAJAC with the LJW Engaging community and service providers from the Inner and Outer Eastern region sharing information on relevant services and contacts in the justice area. Funding is provided through DJR and the local organisations to hold Justice Information days. The RAJAC also takes the opportunity to take on board the communities feedbacks about justice related issues within the community.
79. Cultural Strengthening Youth Justice Partnership	<ul style="list-style-type: none"> The development of Cultural Strengthening program with a focus on Youth Justice Koori clients initiated by community feedback about the lack of culturally specific programs for Koori kids engaged in contact with the justice system. Funding was from the Regional DJR budget.
80. Murray River Marathon Engagement	<ul style="list-style-type: none"> The MRM Blues and brothers program is a well-known and strong initiative led by the Grampians RAJAC. The Eastern region over the past two years has competed and taken a team from the east with over 15 kids engaged and competing. The eastern RAJAC funded the initiative and the team including Victoria Police members.

81. Supporting Junior and Senior representation at sports carnivals	<ul style="list-style-type: none"> The Grampians RAJAC has supported various groups and teams across the region to attend sports carnivals across the state.
82. Local Justice Worker Program	<ul style="list-style-type: none"> The LJW program is currently running out of both Ballarat and Horsham locations and deals directly with Koori offenders, clients and community who need assistance within the justice space.
Southern Metro RAJAC	
83. City of Casey Aboriginal Gathering	<ul style="list-style-type: none"> The Koori Homework Centre commenced on 20 April and takes place at the City of Casey Aboriginal Gathering Place (Doveton) on a weekly basis. The Homework Centre provides local Aboriginal students with access to tutors (Aboriginal university students), computers with internet and dinner. The Homework Centre has been funded by the DJR until the end of the 2016/17 financial year and the RAJAC EO has played a central role in establishing and supporting the Centre.
84. Implementation of Koori Case Management Review Meetings	<ul style="list-style-type: none"> The SMR held its first Koori CMRM on 12 January and they occur monthly. Koori CMRMs involve intensive case management of at-risk Koori offenders and include a local Elder, LJW, RAJAC EO and service providers including VALS and Ngwala Willumbong.
85. Aboriginal Housing Victoria (AHV) – Community Work Program	<ul style="list-style-type: none"> SMR DJR entered into an MOU with AHV to enable Koori offenders to undertake community work on vacant AHV properties in the SMR (AHV own over 165 properties in SMR). This program commenced on 19 April and runs on a weekly basis. The AHV Community Work Program now includes 2 hours of pre-accredited training on each community work day.
86. Aboriginal Women's Craft and Yarn Program	<ul style="list-style-type: none"> The Craft and Yarn Program was funded by the SMR RAJAC as a women's craft group that can be credited towards community work hours. The Craft and Yarn Program commenced on 20 April and ran weekly for 12-months at the City of Casey Aboriginal Gathering Place (Doveton). The Program was co-facilitated by the City of Casey Aboriginal Health Coordinator and the Ngwala women's family violence worker.
87. Aboriginal Youth Leadership Program	<ul style="list-style-type: none"> The SMR RAJAC funded a 12- month Aboriginal Youth Leadership Program. The Program engaged 8 Aboriginal youth from across the region and including monthly gatherings and an urban-exchange to Redfern, NSW.
88. Young Luv Workshops	<ul style="list-style-type: none"> The SMR RAJAC funded FVPLS to deliver 3 <i>Young Luv</i> workshops across the SMR. The workshops were delivered to young Aboriginal women aged between 13-18 and address healthy relationships and safety when dating.

89. Launch of Aboriginal Family Violence Police Protocols (Dandenong)	<ul style="list-style-type: none"> The Aboriginal Family Violence Police Protocols (Dandenong) were launched on 27 May at the Dandenong Council Chambers. As part of the launch, 30 Police members from Dandenong received half a day of cultural relations training from Kellawan. The Aboriginal Family Violence Police Protocols (Dandenong) allow for a holistic response to Aboriginal victims, children and perpetrators of family violence and are the first protocols to cover three Local Government Areas (Dandenong, Casey, Cardinia). SMR RAJAC provided financial support to the Launch to enable more protocols materials to be printed and circulated in community.
90. Quarterly RAJAC meetings in community locations across SMR	<ul style="list-style-type: none"> The SMR RAJAC conducted quarterly meetings in community locations across the SMR. In 2016, RAJAC meetings have been held at the City of Casey Aboriginal Gathering Place (Doveton) and Ngwala Willumbong (St Kilda). RAJAC meetings for the remainder of 2016 are intended to be held at Frankston and Hastings.
91. Update of SMR RAJAC Action Plan	<ul style="list-style-type: none"> The SMR RAJAC Action Plan was updated at the beginning of 2016. The update reflects new regional priorities and activities and removes activities that have been completed or are no longer relevant.
Western Metro RAJAC	
92. Wangal United Aboriginal Controlled Organisation-Cultural Strengthening Program	<ul style="list-style-type: none"> Wangal delivered successful programs for approximately 14 months with minimal resources or a formal physical location of business however the organisation has achieved remarkable outcomes in such period of time. The WM RAJAC has agreed to fund Wangal \$5000 to run this Cultural Strengthening Program
93. Wayapa Wuurk Wellness Foundation- Wyndham Warran Warran Maar Program	<ul style="list-style-type: none"> Warran Warran Maar (boy to Man) is a long-term, preventative, intensive mentoring program based for Aboriginal male adolescents aged 12 to 16 years on cultural immersion and traditional concepts of taking a boy into the first steps of being a respectful, young man. Warran Warran Maar is aimed at boys who are at risk or have already come into contact with the justice system; those who are in out of home care; those who are at risk or have already experienced family violence; and for those who are "doing well" as it is important to mix those who are struggling with those who aren't for good role modelling. It is also vital to demonstrate that a boy doesn't have to come into contact with the justice system to share in a cultural mentoring program.
94. Wayapa Wuurk Aboriginal Wellness Foundation-Mens Business means business	<ul style="list-style-type: none"> The Mens Business Means Business (MBMB) Program brings men together for social, emotional and cultural support. MBMB is for Indigenous Men aged 16 years and over. Non-Indigenous partners and fathers of Indigenous children are also welcome to participate. The Program is run by Jamie Thomas, who has been culturally mentoring men for over 20 years and holds a Post Graduate Certificate in Family Therapy.

95. Wayapa Wuurk Aboriginal Wellness Foundation-Meerreeng Warran Warran	<ul style="list-style-type: none"> • The Meerreeng Warran Warran (Earth to Boy) Program is a cultural learning, strengthening and connection program for Indigenous boys aged between 7 to 11 years that have experienced or are at risk of experiencing family violence. The Program is based on saying no to violence. • The West Metro Indigenous Family Violence Regional Action Group (IFVRAG) has funded Wayapa Wuurk Aboriginal Wellness Foundation to deliver the Meerreeng Warran Warran (Earth to Boy) Program through the Victorian Government's Community Initiative Funding (CIF) Grant and proudly supported by Relationships Australia Victoria (RAV) and in conjunction with the Wyndham Aboriginal Community Centre Committee (WACCC).
96. Wyndham Leaders Kokoda Trek	<ul style="list-style-type: none"> • Wyndham Police in conjunction with Wyndham City, sponsors and partners, delivered the 'Wyndham Leaders Of The Future.' (WLOF) event. • The WM RAJAC funded \$3,500 to support the 3 Aboriginal participants to secure their spot in the program.

Gippsland RAJAC	
97. Youth Governance Training	<ul style="list-style-type: none"> The Youth Leadership and Governance Workshop provided one-off funding by the Commissioner for Aboriginal Children and Young People for young people in the Latrobe Valley in November 2015. The Workshop was delivered by Victoria University and offered 18 - 26 year old Aboriginal and Torres Strait Islander young people a safe environment to express their views, aspirations and issues regarding being active in their community, Aboriginal community organisation and working with community. A number of planning meeting were held with stakeholders since and a wider number of stakeholders were kept in the loop through email and other contact.
98. CAV Koori Trainee	<ul style="list-style-type: none"> Recruitment of Koori Trainees within the Department of Justice and Regulation in the Gippsland Region. The traineeship is funded through CAV with supplementary funding sourced through the DJR Regional Director's discretionary budget
99. Graduate program	<ul style="list-style-type: none"> Following previous unsuccessful attempts to recruit a Koori graduate from the DJR Koori Graduate program, People and Culture and DJR Gippsland worked together to target Koori university students in the Gippsland Region to improve employment opportunities in Gippsland for Koori people studying criminal justice and related fields. DJR Gippsland was allocated a Gippsland based Koori graduate position through DJR Koori Graduate Program, funded by People and Culture. A mainstream VPS 3 role will be allocated to the successful person at the end of the program in Gippsland.
100. Ice forums – Bairnsdale, Lakes Entrance, Orbost, Morwell	<ul style="list-style-type: none"> Ice forums were held in conjunction with Gippsland East and Gippsland Aboriginal Cooperative. Forums were open to the general public. Guest speakers and specialists attended from the Police, Magistrates Court, Ambulance, YSAS and Department of Health.
101. Frontline Grant – Young BungYarnda choices program	<ul style="list-style-type: none"> Funded through the Koori Justice Unit Frontline/CIP community grants program, the aim of the program is to provide cultural, safe, peaceful, healthy and healing activities and events that are youth focused, but inclusive of all community members. The program covers from Cann River to Lakes Entrance and employed two Aboriginal workers
102. Frontline Grant Staying strong Staying out of trouble (Run by Victorian Aboriginal Child Care Agency)	<ul style="list-style-type: none"> Funded by DJR to assist Aboriginal young people from Gippsland to build their protective factors through a series of camps and reduce contact with the criminal justice system. The program and the camps are informed by a group of local Elders, Community Members and experts in the field of young people. Outside of the camps, existing case management supports, are used to strengthen the aspects of their lives that make them less likely to participate in risk taking behaviour. The program targets young Aboriginal people living in Gippsland, aged between 14-24 years engaged with statutory services like Child Protection, Out of Home Care, and/or come to the attention of Police.
Loddon Mallee RAJAC	
103. Investigate the potential for mediator training for interested Koori community members in the region	<ul style="list-style-type: none"> 12 Aboriginal participants from Loddon undertook a mediation course over 2 weeks facilitated by DSCV

104. Investigate provision of a family cultural camp for Koori families in each community in the region	<ul style="list-style-type: none"> Cultural camps funded for the Bendigo and Robinvale communities. The funding proposal was presented to the Loddon Mallee Aboriginal Reference Groups (LMARG), which is made up of all the ACCOs in the Loddon Mallee region. LMARG proposed the Bendigo and Robinvale communities be funded for the cultural camps.
105. Establishment of LAJAC Echuca	<ul style="list-style-type: none"> Loddon Mallee LAJACs have expanded from 4 to 5 with the establishment of a LAJAC in Echuca.
106. Cultural awareness training	<ul style="list-style-type: none"> Numerous Koori Cultural Awareness training delivered to DJR staff and Vic Police in Loddon Mallee
107. Ensuring Koori youth cautioning program is implemented across the region (Victoria Police)	<ul style="list-style-type: none"> Previously Koori Youth Cautioning Program only in Division 6. RAJAC Action Plan was to have the program also implemented in Division 5.
108. Cultural wraparound plans for Koori justice clients are in place via developing a Koori-specific Multiple and Complex Needs Initiative (MACNI) type panel	<ul style="list-style-type: none"> Cultural wraparound plans are implemented for Koori justice clients
109. Expand culturally- strengthening programs and activities for Koories in custody/community orders	<ul style="list-style-type: none"> The prisons in Loddon Mallee have maintained and expanded cultural celebrations such as NAIDOC week, Koori art expos and exploring Aboriginal traditional practices
110. Connecting to Country Program	<ul style="list-style-type: none"> This is a first of its type and is a partnership between DJR and the Dja Dja Wurrung Group. The program has two key components: Koori cultural sessions only for Koori prisoners and conservation and land management The sessions took place on three sites owned by Dja Dja Wurrung - Yapenya, Franklinford (former Aboriginal Mission school site) and Carisbrook (ceremonial site). Two crews of up to eight Koori and non-Koori prisoners undertook land works to regenerate the land and repair fencing on the three sites. Prisoners were enrolled in units from the Cert III Conservation and Land Management with Bendigo Kangan, and their work assessed on-site
111. LAJAC Project Officer based in Mildura (oversee Mildura & Robinvale communities)	<ul style="list-style-type: none"> LAJAC Project Officer recruited, funding provided by the Secretary

