

Justice and Community Safety Directorate

Aboriginal and Torres Strait Islander Justice Affairs

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The Justice and Community Safety Aboriginal and Torres Strait Islander Justice Affairs portal aims to assist your search for information on Aboriginal and Torres Strait Islander justice issues, justice organisations, policies and research including cultural events of significance.

The Justice and Community Safety Directorate acknowledges the traditional custodians, the Ngunnawal people and respect their continuing culture and the contribution they make to the life of the city and the surrounding region.

Primary responsibility for public sector policy development and service delivery in relation to Aboriginal and Torres Strait Islander people in the ACT rests with the Community Services Directorate (CSD). Specific information on the Office of Aboriginal and Torres Strait Affairs can be found on the CSD website including information on the [ACT Aboriginal and Torres Strait Islander Elected Body](#) and the [United Ngunnawal Elders Council](#).

The Justice and Community Safety Directorate works to provide and improve justice services and outcomes for Aboriginal and Torres Strait Islander people within our community.

ACT Government Aboriginal and Torres Strait Islander Protocols

The Agreement provides a higher level of understanding and mutual commitment to addressing the needs of Aboriginal and Torres Strait Islander people in the ACT law and criminal justice system, improving their community safety, and overcoming social inclusion. It is a joint partnership between the ACT Government and the ACT Aboriginal and Torres Strait Islander Elected Body. The partnership is a first for the ACT, involving considerable consultation with the local Aboriginal and Torres Strait Islander community.

[ACT Government Aboriginal and Torres Strait Islander Protocols](#)

Aboriginal and Torres Strait Islander Flags



Learn more about the flags here: <http://www.communityservices.act.gov.au/>

Aboriginal and Torres Strait Islander Justice Partnership 2015-18

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[Aboriginal and Torres Strait Islander Justice Partnership 2015-18](#) [PDF 8.4 MB]

[Justice Reinvestment Strategy](#)

Reconciliation Action Plan

The Reconciliation Action Plan (RAP) is a tool to help improve this Directorate's engagement, consultation and partnerships with our Aboriginal and Torres Strait Islander staff, clients and stakeholders. It sets out how JACS can contribute to "closing the gap". The RAP is also about embedding cultural change across the organisation through building good relationships, respecting the special contribution of Aboriginal and Torres Strait Islander communities, organisations and leaders, and providing employment and development opportunities. Our vision for reconciliation is a fair, safe and peaceful community where Aboriginal and Torres Strait Islander peoples' rights and interests are

protected.

The 2016-2019 JACS Stretch RAP is the third JACS RAP and was launched on 16 November 2016. This RAP complements the aims of the ACT Government's Respect, Equity and Diversity (RED) Framework and the JACS Aboriginal and Torres Strait Islander Employment Action Plan.

[Reconciliation Action Plan 2016-19](#) [PDF 15MB]

Relevant Commonwealth Aboriginal and Torres Strait Islander Justice Affairs Links

Aboriginal and Torres Strait Islander Services Guide

The Aboriginal and Torres Strait Islander Guide provides information on legal and community support services for Aboriginal and Torres Strait Islander people.

The Guide can be accessed here: [Services Guide](#) [PDF 3.96MB]

Closing the Gap Clearinghouse

The Closing the gap clearinghouse for research and evaluation evidence on what works to overcome Aboriginal and Torres Strait Islander disadvantage. The Clearinghouse provides online access to a collection of research and evaluations, plus Issues papers and Resource sheets that synthesise the evidence on a particular topic. The Council of Australian Governments (COAG) has set [seven building blocks](#) which support the [COAG targets](#) to overcome Aboriginal and Torres Strait Islander disadvantage.

www.aihw.gov.au/closingthegap/

Closing the Gap

Aboriginal and Torres Strait Islander Closing the gap web resource is for people interested in finding out more about the Closing the gap commitments of the Council of Australian Governments (COAG).

www.healthinfonet.ecu.edu.au/closing-the-gap

United Nations Declaration on the Rights of Aboriginal and Torres Strait Islander Peoples

The Australian Human Rights Commission (AHRC) is the nation's independent human rights body. It works to find practical and long-term solutions to the human rights issues facing people in Australia, as well as to build greater understanding and respect for human rights in our community.

AHRC's site provides updates and fact sheets on UN Declaration on the Rights of Aboriginal and Torres Strait Islander Peoples.

www.hreoc.gov.au/social_justice/declaration/index.html

Aboriginal and Torres Strait Islander Social Justice

The position of the Aboriginal and Torres Strait Islander Social Justice Commissioner was created by the federal parliament in December 1992 - a response to the findings of the Royal Commission into Aboriginal Deaths in Custody and the National Inquiry into Racist Violence. It was also a response to the extreme social and economic disadvantage faced by Aboriginal and Torres Strait Islander Australians.

The Commission's role includes reviewing the impact of laws and policies on Aboriginal and Torres Strait Islander peoples, reporting on Aboriginal and Torres Strait Islander social justice and native title issues and promoting an Aboriginal and Torres Strait Islander perspective on issues. In addition, the Aboriginal and Torres Strait Islander Social Justice Commissioner monitors the enjoyment and exercise of human rights for Aboriginal and Torres Strait Islander Australians. The AHRC Act and the Native Title Act 1993 (Cth) require that the Aboriginal and Torres Strait Islander Social Justice Commissioner produces an annual Social Justice and a Native Title Report. These reports are tabled in Parliament.

www.hreoc.gov.au/social_justice/index.html

Respect, Equity and Diversity Framework

The Directorate is committed to creating a positive, respectful, supportive and fair work environment where employee differences are respected, valued and utilised to create a productive and collaborative workplace.

The Respect, Equity and Diversity Framework spells out why a workplace that is respectful, equitable and values individuals and their differences, is at the heart of a positive work culture. The Framework sets out the roles and responsibilities for all employees across the ACT public service - that means all of us. The Framework articulates an action plan for the Directorate to address those challenges and a mechanism for evaluating our progress.

To achieve this, the Directorate will implement activities identified in the Framework's Action Plan including:

- Establish a RED Contact Officers' Network
- Provide policy and process to eradicate workplace bullying and other forms of harassment
- Provide RED awareness and related training
- Further to this the Directorate has a RED Executive Sponsor and recently employed an Inclusion Officer to coordinate and champion the framework

More information about RED can be found on the CMCD website:

[Respect, Equity and Diversity Executive Summary](#)

[Respect, Equity and Diversity Overview](#)

[Respect, Equity and Diversity Framework](#)

[Respect, Equity and Diversity Appendices](#)

Aboriginal and Torres Strait Islander Employment Action Plan 2016-2019

The Justice and Community Safety Directorate's Aboriginal and Torres Strait Islander Employment Action Plan sets out how the Directorate will increase the number of Aboriginal and Torres Strait Islander employees and keep them employed within the service.

The Plan builds on the previous ACT Aboriginal and Torres Strait Islander Justice Agreement (AJA), ACT Public Service Respect, Equity and Diversity Framework, ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander People and will be complemented by the Directorate's Reconciliation Action Plan.

There are three focus areas of this Plan: attraction, retention, and capability building.

[Aboriginal and Torres Strait Islander Employment Action Plan 2016-2019](#)

[JACS Inclusion Statement 2016-2019](#)

Aboriginal and Torres Strait Islander Significant Dates

13 February - Anniversary of the Apology (2008)

Anniversary of the formal apology made on 13 February 2008 by the government and the Parliament of Australia to Australia's Aboriginal and Torres Strait Islander people - in particular to the Stolen Generations.

19 March - National Close the Gap Day

National Close the Gap Day is an annual event held to raise awareness of the Aboriginal and Torres Strait Islander health crisis. <https://www.oxfam.org.au/>

26 May - National Sorry Day

National Sorry Day offers the community the opportunity to acknowledge the impact of the policies spanning more than 150 years of forcible removal of Aboriginal and Torres Strait Islander children from their families. The first National Sorry Day was held on 26 May 1998 following the 1997 HREOC report Bringing Them Home which recommended that a national day of observance be declared.

27 May - Anniversary of the 1967 Referendum

In 1967 over 90% of Australians voted in a Referendum to remove clauses from the Australian Constitution which discriminated against Aboriginal and Torres Strait Islander Australians. The Referendum also gave the Commonwealth Government the power to make laws on behalf of Aboriginal and Torres Strait Islander people.

27 May-3 June - Reconciliation Week

National Reconciliation Week was initiated in 1996 to provide a special focus for nationwide activities. The week is a time to reflect on achievements so far and the things which must still be done to achieve reconciliation.

National Reconciliation Week offers people across Australia the opportunity to focus on reconciliation, to hear about the cultures and histories of Australia's Aboriginal and Torres Strait Islander peoples, and to explore new and better ways of meeting challenges in our communities.

The Week is timed to coincide with two significant dates in Australia's history, which provide strong symbols of our hopes and aims for reconciliation: 27 May and 3 June.

3 June - Mabo Day

Mabo Day marks the anniversary of the High Court of Australia's judgement in 1992 in the Mabo case. This is a day of particular significance for Torres Strait Islander Australians.

Eddie "Koiki" Mabo's name is synonymous with native title rights. His story began in May 1982 when he and fellow Murray (Mer) Islanders David Passi, Sam Passi, James Rice and Celuia Salee instituted a claim in the High Court for native title to the Murray (Mer) Islands in the Torres Strait.

The claim was made against the State of Queensland, which responded by seeking to legislate to extinguish retrospectively any native title on the Islands.

This was challenged in the High Court on the grounds that it was inconsistent with *the 1975 Racial Discrimination Act*. The High Court, in an historical judgement delivered on 3 June 1992, accepted the claim by Eddie Mabo and the other claimants that their people (the Meriam people) had occupied the Islands of Mer for hundreds of years before the arrival of the British. The High Court found that the Meriam people were "entitled as against the whole world to possession, occupation, use and enjoyment of lands in the Murray Islands." The decision overturned a legal fiction that Australia was terra nullius (a land belonging to no one) at the time of British colonisation.

1 July - Coming of the Light

This is a particular day of significance for Torres Strait Islander Australians. It marks the day the London Missionary Society first arrived in the Torres Strait. The missionaries landed at Erub Island on 1 July 1871.

Religious and cultural ceremonies are held by Torres Strait Islander Christians across the Torres Strait and on the mainland to commemorate this day.

4 July-12 July 2015 - NAIDOC Week

NAIDOC Week is a celebration of Aboriginal and Torres Strait Islander cultures and an opportunity to recognise the contribution of Aboriginal and Torres Strait Islander Australians in various fields.

For further information on NAIDOC, please visit the website www.naidoc.org.au

4 August - National Aboriginal and Torres Strait Islander Children's Day

Children's Day and the week leading up to it, is a time to for Aboriginal and Torres Strait Islander families to celebrate the strengths and culture of their children. The day is an opportunity for all Australians to show their support for Aboriginal children, as well as learn about the crucial impact that community, culture and family play in the life of every Aboriginal and Torres Strait Islander child.

9 August - International Day of the World's Aboriginal and Torres Strait Islander Peoples

The International Day of the World's Aboriginal and Torres Strait Islander Peoples is observed on August 9 each year to promote and protect the rights of the world's Aboriginal and Torres Strait Islander population. This event also recognises the achievements and contributions that Aboriginal and Torres Strait Islander people make to improve world issues such as environmental protection. It was first pronounced by the General Assembly of the United Nations in December 1994, marking the day of the first meeting of the UN Working Group on Aboriginal and Torres Strait Islander Populations of the Sub-commission on the Promotion and Protection of Human Rights, in 1982.

3 September - Aboriginal and Torres Strait Islander Literacy Day

Aboriginal and Torres Strait Islander Literacy Day aims to help raise funds to raise literacy levels and improve the lives and opportunities of Aboriginal and Torres Strait Islander Australians living in remote and isolated regions. We need your support to help raise funds to buy books and literacy resources for children in these communities.

13 September - Anniversary of the UN Declaration on the Rights of Aboriginal and Torres Strait Islander People

The United Nations Declaration on the Rights of Aboriginal and Torres Strait Islander Peoples was adopted by the United Nations General Assembly during its 61st session at UN Headquarters in New York City on 13 September 2007.

[Community Services Directorate calendar](#)

Other ACT Aboriginal and Torres Strait Islander Services/Policies

Community Services Directorate

The Office provides strategic advice to the Minister for Aboriginal and Torres Strait Islander Affairs on issues affecting Aboriginal and Torres Strait Islander people living in the ACT. The Office coordinates a whole-of-government approach to issues affecting Aboriginal and Torres Strait Islander residents and provides secretariat and administrative support to the Aboriginal and Torres Strait Islander Elected Body and the United Ngunnawal Elders Council. The Office also administers the ACT Aboriginal and Torres Strait Islander Traineeship Program.

<http://www.communityservices.act.gov.au/>

ACT Health Directorate

The Aboriginal and Torres Strait Islander health portal aims to assist your search for information on

Aboriginal and Torres Strait Islander health issues, health organisations, policies and research including cultural events of significance.

<http://health.act.gov.au/>

ACT Education and Training Directorate

ETD provide reports to the ACT Legislative Assembly on Aboriginal and Torres Strait Islander education in ACT public schools.

Gugan Gulwan Youth Aboriginal Corporation

www.gugan-gulwan.com.au

Gugan Gulwan"s vision is to provide a safe and supportive environment for Aboriginal and Torres Strait Islander young people and their families where they may gather and discuss issues that concern them and gain access to information, referral, counselling and remedial services.

Programs include; Drug and Alcohol program, Mental Health program, Child Youth and Family program and a Reconnect Program, plus various different group programs.

Winnunga Nimmityjah Aboriginal Health Service

www.winnunga.org.au/

Winnunga aims to provide a culturally safe, holistic health care service for the Aboriginal and Torres Strait Islander people of the ACT and surrounding regions. The holistic health care provided by Winnunga Nimmityjah includes not only medical care, but a range of programs to promote good health and healthy lifestyles.

ACT Aboriginal and Torres Strait Islander Justice Services and Programs

Aboriginal and Torres Strait Islander Law and Justice Services in the ACT

<http://deadlyadvice.hrc.act.gov.au/>

Justice Support

The Aboriginal Legal Service is currently providing some services previously provided by the Aboriginal Justice Centre (which has now closed) including the Front Up Program, Interview Friends and Galambany Court Support. A discussion paper on possible models to replace the AJC is being developed in consultation with the Aboriginal and Torres Strait Islander Elected Body.

Free Wills for ACT Aboriginal and Torres Strait Islander Residents - Public Trustee and Guardian Office

The Public Trustee and Guardian for the ACT (PTGACT) has the [Free Wills for ACT Aboriginal and Torres Strait Islander Residents Fact Sheet](#)

on its website relating to wills for Aboriginal and Torres Strait Islander community in the ACT. PTGACT also provides free wills for Aboriginal and Torres Strait Islander people.

Galambany Circle Sentencing Court

The specialist [Galambany 'Circle Sentencing' Court](#) provides a culturally relevant sentencing option in the ACT Magistrates Court jurisdiction for eligible Aboriginal and Torres Strait Islander people who have offended. It is for both adults and young people, and gives the ACT Aboriginal and Torres Strait Islander community to work collaboratively with the ACT criminal justice system to address over-representation issues and offending behaviour.

Human Rights Commission

www.hrc.act.gov.au

The Commission is an independent statutory agency established to promote and protect the rights and wellbeing of all people living in the ACT. The Commission also considers complaints about:

- Discrimination, sexual harassment and vilification, including if someone is treated unfairly because they are Aboriginal or Torres Strait Islander;
- Health services
- Disability services,
- Services for children and young people
- Services for care givers; and
- Services for older people

The Commission has been working with the Aboriginal Women's Access to Justice Program to develop an On Line Legal Toolkit for Aboriginal and Torres Strait Islander Peoples. The page provides information on Care and Protection, Discrimination, Contact with Policy and Security Guards and Problems with Debt.

<http://deadlyadvice.hrc.act.gov.au>

Under its [Reconciliation Action Plan](#), the Commission is undertaking a range of activities and actions with the Aboriginal and Torres Strait Islander communities.

More information on the Commission generally is available in this [About Us Brochure](#) [PDF], also specific information for [Aboriginal and Torres Strait Islander People concerned about race discrimination](#). [PDF]

Recent research: [Challenging Racism: The Anti-Racism Research Project based at the University of Western Sydney](#)

ACT Ombudsman

The [ACT Ombudsman's office](#) has a dedicated Aboriginal and Torres Strait Islander Unit that provides assistance when dealing with complaints from Aboriginal and Torres Strait Islander people and

communities.

ACT Policing

The [Australian Federal Police](#) employs an Aboriginal and Torres Strait Islander community liaison officer who liaises with the Aboriginal and Torres Strait Islander community to establish and maintain positive relationships and foster mutual understanding.

ACT Corrective Services

[ACT Corrective Services](#) has a range of services to assist Aboriginal and Torres Strait Islander men and women in the criminal justice system. The following initiatives are just some examples of the services available:

- A co-facilitation model for programs that improves the effectiveness of rehabilitation by having an Aboriginal and Torres Strait Islander person involved to improve cultural appropriateness.
- An Aboriginal and Torres Strait Islander cultural place at the AMC to provide a venue for detainees to create a sense of community and express themselves through cultural activities.
- Community Based Corrections has two identified Aboriginal and Torres Strait Islander Probation and Parole officer positions to ensure culturally appropriate management of Aboriginal and Torres Strait Islander offenders subject to supervision in the community and to liaise with culturally appropriate service providers.

Restorative Justice

[Restorative Justice Unit](#) supports Aboriginal and Torres Strait Islander youth through the restorative justice process including outreach assessments, home visits, support with travel and community based placements involving culturally appropriate support.

The RJU has an [Aboriginal and Torres Strait Islander Guidance Partner](#) position. This position has been established to provide guidance and assistance to Aboriginal and Torres Strait Islander youth and victims referred to or involved in restorative justice.

Victim Support ACT

Many people have experienced being a victim of violence. It can be hard to recover from being harmed. Victim Support ACT can provide good support and information to Aboriginal and Torres Strait Islander people who have been a victim of crime.

At Victim Support ACT you can get free help to:

- Find out about your rights as a victim of crime and make a complaint if you have been treated badly;
- Make an application for financial assistance under the Victims of Crime Financial Assistance Scheme; and
- Access counselling or other therapies to help you recover at no cost.

You don't have to report the crime to police to get support from Victim Support ACT.

[Supporting Victims webpage](#)

Aboriginal Legal Service [NSW/ ACT] Limited

www.alsnswact.org.au/offices/act

ALS gives legal advice and court representation to Aboriginal and Torres Strait Islander men, women and children in the ACT and surrounding region. ALS works in two areas of law, criminal law and children's care and protection law. For family and civil law matters, ALS gives information and referral to other legal practices. Currently it is also providing services for the ACT community including the Front Up Program, Interview Friends and Galambany Court Support.

Aboriginal and Torres Strait Islander Justice Data

The ACT Criminal Justice Statistical Profile provides updated trends in recorded crime offences in the ACT, containing ACT Policing, ACT Law Courts, ACT Corrective Services and Youth Justice Data. This includes data on Aboriginal and Torres Strait Islander clients involved in the criminal justice system.

[ACT Criminal Justice Statistical Profiles](#)