



# Northern Territory Aboriginal Justice Agreement 2021-2027

DEPARTMENT OF  
THE ATTORNEY-GENERAL AND JUSTICE



# Acknowledgements

The Northern Territory Government acknowledges and respects:

- Aboriginal people as the traditional owners and custodians of its lands, waters and seas.
- Aboriginal Elders, past and present, and emerging leaders across the Northern Territory.
- The contribution of Aboriginal leaders and community members, Aboriginal organisations, other non-government organisations and government agencies.
- The levels of honesty, courage and integrity of all those involved in the development of the final Agreement and their willingness and commitment to work in partnership to achieve the aims and outcomes.

The term Aboriginal is used throughout this document to refer to all people of Aboriginal and Torres Strait Islander descent who are living in the Northern Territory. The use of this term reflects the wishes of Aboriginal people in the Northern Territory.

Please be aware that this document may contain the names or images of Aboriginal people who have died.

## The Agreement and its companion documents

The ***Northern Territory Aboriginal Justice Agreement*** (the Agreement) outlines how the parties will work together to improve justice outcomes for Aboriginal Territorians. The Agreement has three aims and identifies the commitments and actions to be delivered over seven years.

***Pathways to the Northern Territory Aboriginal Justice Agreement*** provides the context, background and rationale for the commitments outlined in the Agreement.<sup>1</sup>

***The Northern Territory Aboriginal Justice Agreement Implementation Plan*** identifies the actions and measures of success for the commitments that are aligned against the three aims of the Agreement.

***Northern Territory Aboriginal Justice Agreement Action Plan*** will be published annually over the seven years of the Agreement. Each Action Plan will detail the commitments and actions that are aligned against the aims of the Agreement.

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Throughout the document, many of the photos have kindly been provided by Stewart Roper.

A link to his work and book can be found at: [roperphotos.com/buythebook.html](http://roperphotos.com/buythebook.html)

# About the artworks

We gratefully acknowledge the students at St Mary's Catholic Primary School in Darwin, and Sadadeen Primary School in Alice Springs for the artwork used in the Northern Territory Aboriginal Justice Agreement.



**The Sea of Change**  
By students Tilly (Year 4) and Mia (Year 1) at St Mary's Catholic Primary School in Darwin.

Our painting tells the story of how people need to work together to make decisions.

The blue colour is the sea, a metaphor for the undercurrent of change.

The smaller circles illustrate people who are already waiting alongside the edge of the sea who can join up with the people who are already there who are depicted as the bigger circles.

But those standing on the edge of the water need to make a decision. They have choices. They can stay where they are, or be brave and take a risk, and plunge into the water to join up with the others.

There are decisions that must be made in life at difficult times. Where there are decisions there are choices. You just need to be brave and make sure it's the right one and know that you are not alone.



**The Desert Painting**  
By students Shanti (Year 6), Letrell (Year 5) and Alayna (Year 4) at Sadadeen Primary School in Alice Springs.

Our painting shows how we can work as a team with respect for one another.

The circles are joined together along pathways and we remember to help each other on the journey.

The future is bright, just like the desert after rain.

We used the desert colours because we live in a hot desert, where new life happens after the rain.

In the desert, nature comes together and we can come together too. Our future looks bright and beautiful.

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# Minister's message

As Territorians, and as a society, we have a responsibility to ensure that all Aboriginal Territorians have the ability to grow, thrive and live safely.

Here in the Northern Territory, Aboriginal Territorians are significantly over-represented as both offenders and victims in the justice system. The human impact and cost of this on families, communities and the Territory, cannot be overstated.

For three years, the Aboriginal Justice Unit consulted with Aboriginal people across the Northern Territory. Consultations were informed by data, statistics and research on how our justice system can be improved.

The consultations found that justice services do not effectively meet the needs of Aboriginal people. We were told there is insufficient emphasis on addressing the underlying causes of offending and that Aboriginal people don't use the complaints processes that are available. We were told that there is insufficient involvement of Aboriginal leaders in decision-making and that many Aboriginal people feel alienated from the justice system that is intended, and must serve all Territorians both fairly and equally.

My government has already started this important work. We are delivering two alternatives to custody, one in Alice Springs and one in Groote Eylandt.

We are making it easier for Aboriginal Territorians in remote communities to access the services of the Births, Deaths and Marriages office. We are increasing the number of Aboriginal people appointed as Justices of the Peace and Commissioners for Oaths. We have already signed Local Decision Making Agreements where Aboriginal people can lead decisions that impact on them at the local level.

We know that together, we can ensure Aboriginal Territorians who are in contact with the justice system—as victims, offenders, witnesses, and families—are treated fairly, respectfully and without discrimination. Together we can ensure that decisions are led by Aboriginal people to make the changes needed for their communities.

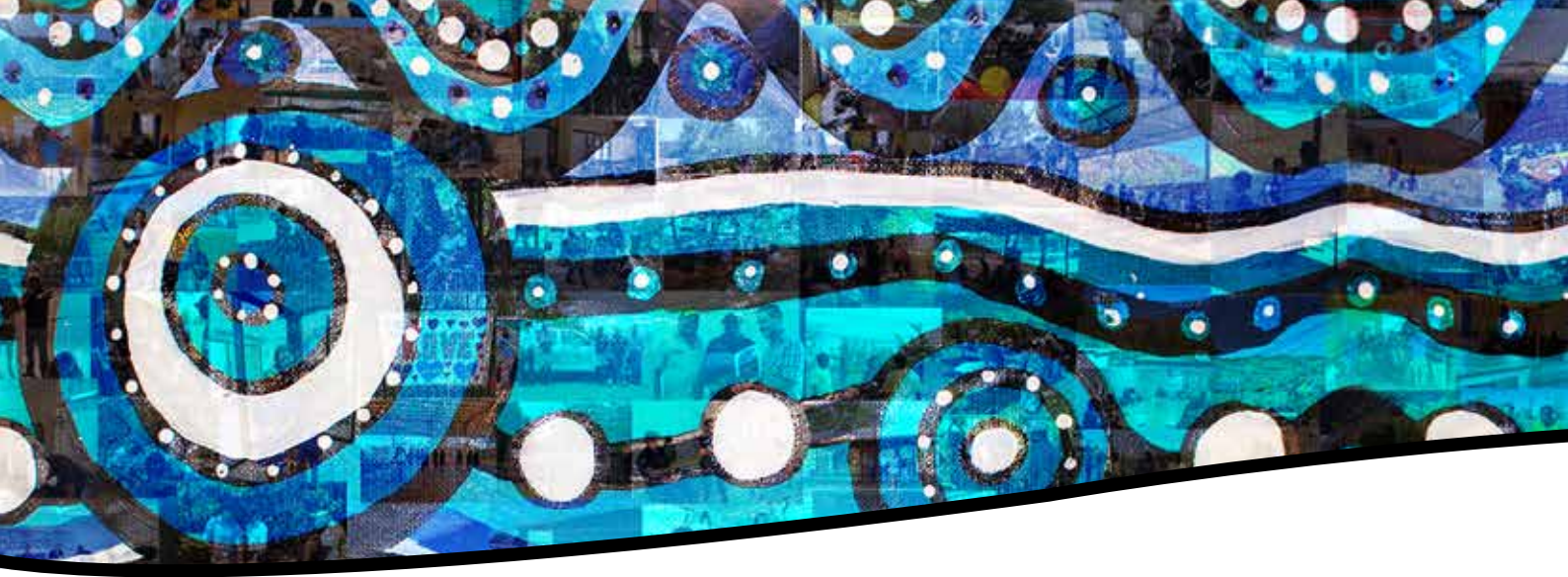
Aboriginal people's willingness to engage with the Government on these issues is a testament to the strength, resilience and leadership of Aboriginal Territorians today. Similarly, the commitment from justice agencies to do better, and particularly to address discriminatory policies and practices, is a fundamental pillar of this Agreement. I thank you all for your commitment, dedication and leadership in working with the Aboriginal Justice Unit to deliver the Territory's first, and long overdue, Aboriginal Justice Agreement.

The signing of this Agreement is a momentous step towards improving the lives of Aboriginal Territorians, where together we can make the Territory a better place for everyone.



A handwritten signature in cursive script that reads "Selena Uibo".

Attorney-General and Minister for Justice  
Hon Selena Uibo.

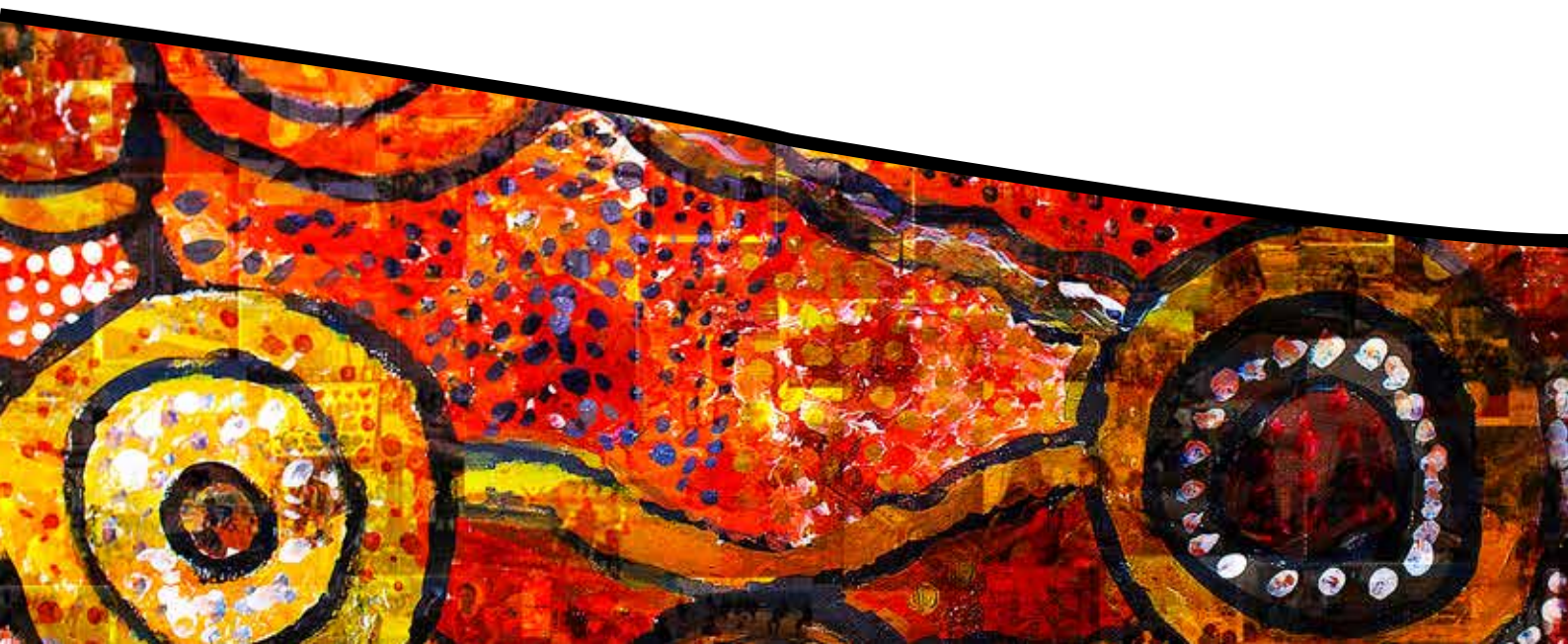


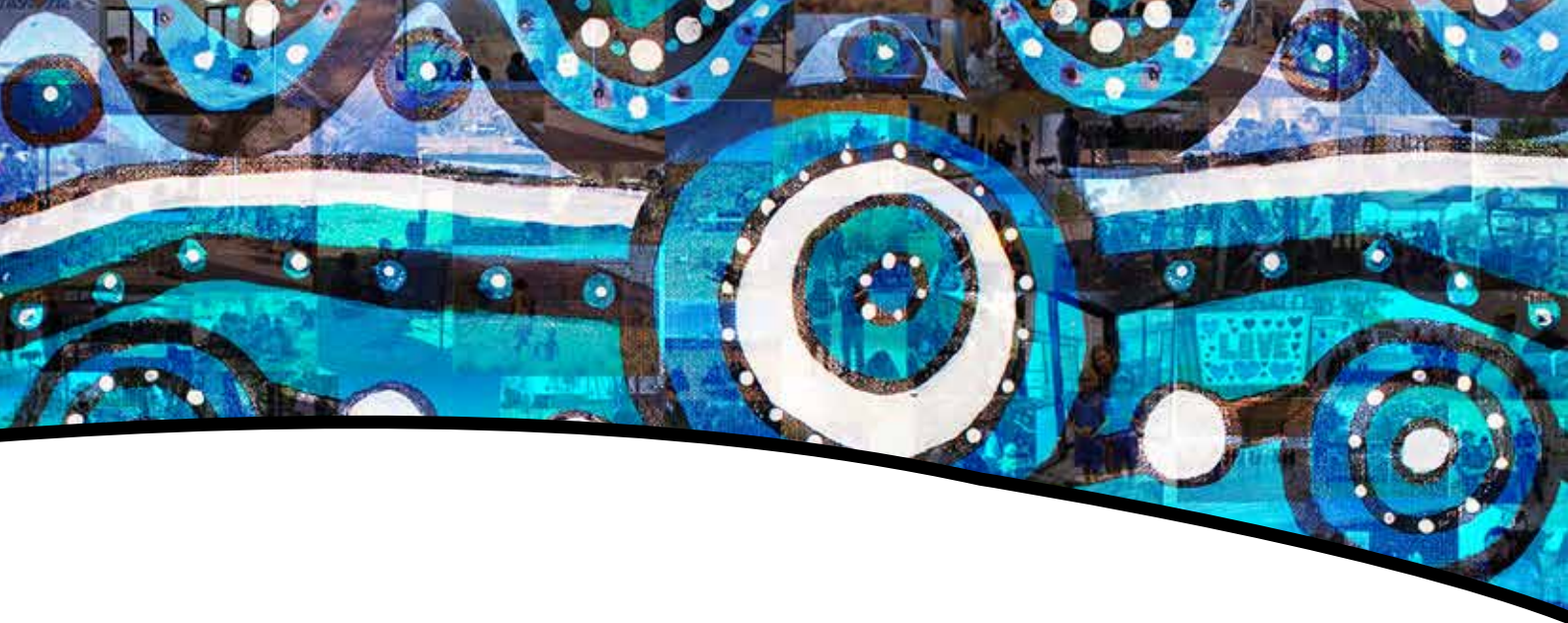
The Northern Territory Government, Aboriginal Territorians, aligned Aboriginal organisations and non-government organisations, will work in partnership to achieve the aims and outcomes of the Northern Territory Aboriginal Justice Agreement.

This Agreement outlines the nature of the partnership and the commitments to achieve change.

This Agreement is founded on strong leadership and shared commitment.

Together, we can ensure Aboriginal Territorians in contact with the justice system as victims, offenders, witnesses, and families are treated fairly, respectfully and without discrimination.





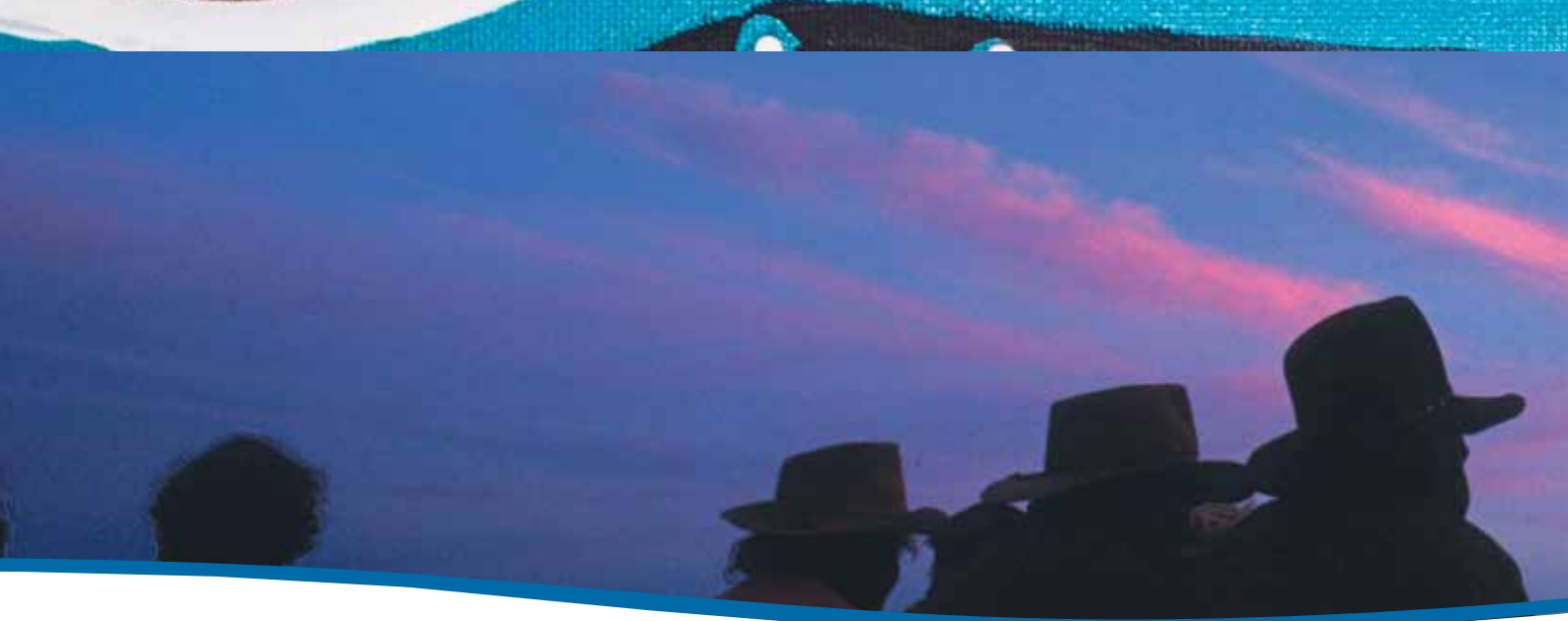
Together, we can do more to keep our families safe, and support Aboriginal leadership to make our communities strong and resilient.

Together, we can do more to keep Aboriginal people out of prison.

Together, we can reduce offending and provide alternatives to imprisonment that address the underlying causes of offending.

This Agreement dictates and demands a transformation in the way justice services are constituted and delivered in the Northern Territory to improve justice outcomes for Aboriginal Territorians.





## Vision

The parties and signatories to the Agreement share a vision that:

Aboriginal Territorians live safe, fulfilling lives and are treated fairly, respectfully and without discrimination.

*"We are in one canoe, we need to paddle together."<sup>2</sup>*

## Aims

Over seven years, this Agreement aims to:

1. Reduce offending and imprisonment of Aboriginal Territorians.
2. Engage and support Aboriginal leadership.
3. Improve justice responses and services for Aboriginal Territorians.

*"It is our people who suffer when service providers do not look outside of their organisations and actively seek to work across all others."<sup>3</sup>*





## Principles

Implementation of the Aboriginal Justice Agreement will be guided and informed by these principles:

- Align with strategies already underway within government including the Northern Territory Government's *Everyone Together Aboriginal Affairs Strategy 2019-2029*.
- Establish and maintain respectful and collaborative relationships built on the foundations of mutual understanding and trust.
- Uphold the highest standards of honesty, integrity, transparency and accountability.
- Respect the diversity and histories of Aboriginal people and communities across the Northern Territory, accepting the unique needs, histories and strengths that must be considered in the co-design and delivery of strategies and policies.
- Respect and accept Aboriginal people's knowledge and connections to country, culture, kinship and language.
- Actively discourage stereotyping of Aboriginal people and the use of deficit labelling.
- Value and support Aboriginal leadership and local decision-making.
- Adhere to the highest standards of cultural competence and good practice in service delivery to Aboriginal Territorians.
- Ensure the Agreement's aims, commitments and actions continue to be founded on informed, evidence-based data and analysis.
- Ensure Aboriginal people are able to fully exercise their rights as Territorians.
- Acknowledge relevant human rights legislation and international instruments, charters, conventions and declarations.<sup>4</sup>

# Parties and signatories

The parties to this Agreement are the Northern Territory Government, Aboriginal Territorians, aligned Aboriginal organisations and other non-government organisations.

In addition to the parties to the Agreement, any person or organisation who endorse the aims and principles of the Agreement can become a signatory.

This is important because the consultations identified that many Aboriginal and non-Aboriginal people wanted the right to endorse the Agreement individually rather than to do so through an organisation. For some people this represented an important way to show their personal commitment and their community's commitment to the Agreement.

## Parties

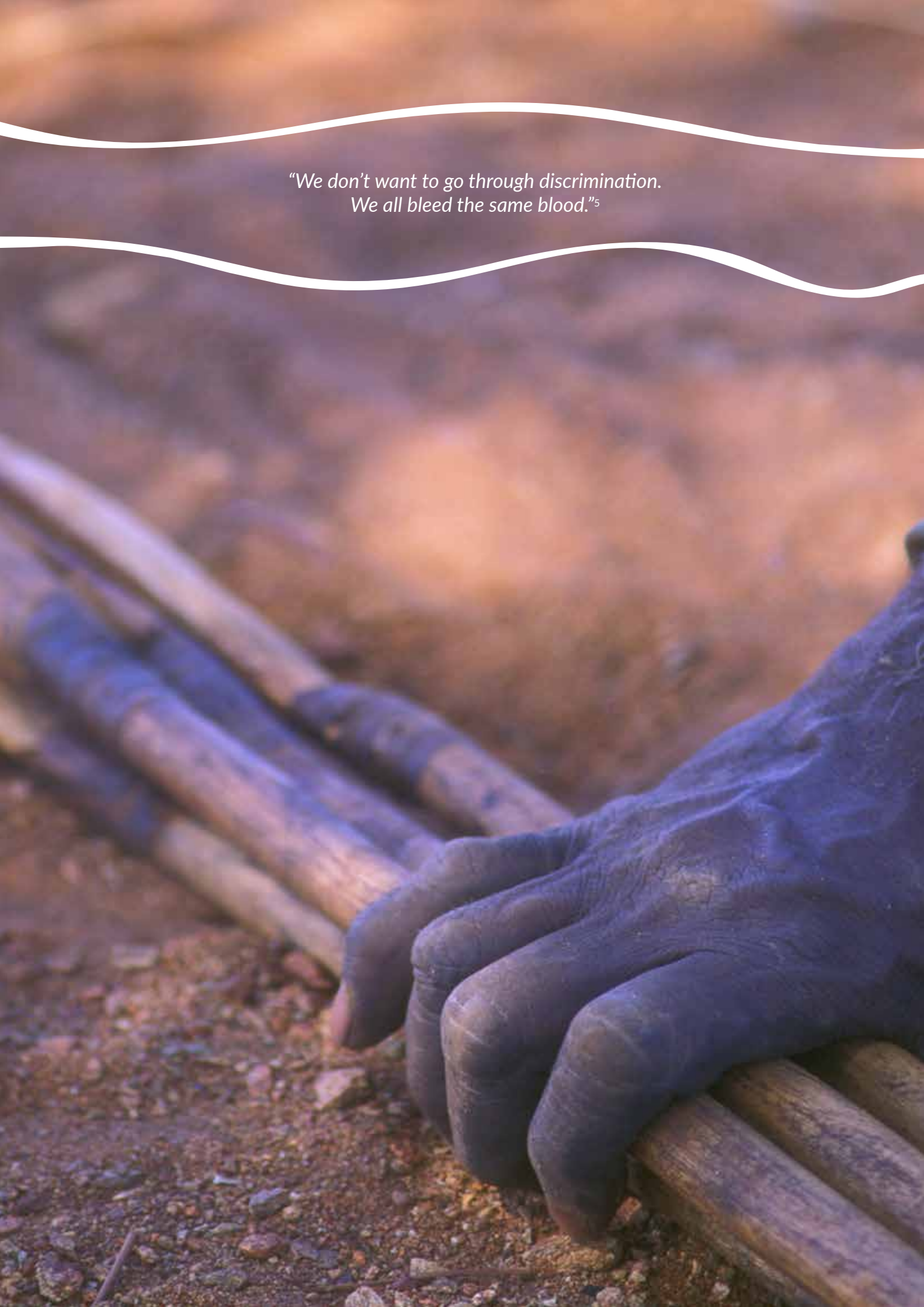
The parties to the Northern Territory Aboriginal Justice Agreement will:

- Commit to the vision, aims and principles of the Agreement.
- Achieve the aims of the Agreement with a whole-of-government and whole-of-Territory response, supported by government agencies and non-government organisations.
- Accept there must be fundamental changes and shifts in the way services are delivered to Aboriginal Territorians.

## Signatories

The signatories to the Northern Territory Aboriginal Justice Agreement support, endorse and acknowledge the vision, aims and principles of the Agreement.

Any party or signatory wishing to sign the Agreement is invited to register their interest by contacting the Aboriginal Justice Unit by email [agd.aju@nt.gov.au](mailto:agd.aju@nt.gov.au), by phone 08 8935 7655, or online [nt.gov.au/aja](https://nt.gov.au/aja)



*"We don't want to go through discrimination.  
We all bleed the same blood."<sup>5</sup>*



# Aim One

## Reduce offending and imprisonment of Aboriginal Territorians

Aboriginal Territorians are over-represented as victims and offenders within the justice system. In the Northern Territory, Aboriginal men are imprisoned at 15 times the rate of non-Aboriginal men and Aboriginal women are imprisoned at 14 times the rate of non-Aboriginal women.<sup>6</sup>

More than 83 per cent of adult prisoners in the Northern Territory are Aboriginal.<sup>7</sup>

Data shows that Aboriginal women are significantly more likely to be victims of assault than any other group in the Northern Territory. In fact, Aboriginal women are 11 times as likely to be assaulted as non-Aboriginal women, seven times as likely to be assaulted as non-Aboriginal men and two times as likely to be assaulted as Aboriginal men.<sup>8</sup>

The human impact of this over-representation on individuals, families and communities cannot be overstated.

There are many complex reasons for this over-representation. Almost 30 years ago the Royal Commission into Aboriginal Deaths in Custody identified that this over-representation related to:

- Factors within the criminal justice system that contribute to the high rates of incarceration of Aboriginal people.<sup>9</sup>
- Underlying factors which bring Aboriginal people into contact with the criminal justice system itself.<sup>10</sup>

It remains true, even today, that these are the areas that must be addressed if we are to improve the lives of Aboriginal people and the rates of over-representation in Northern Territory prisons. This was affirmed during the extensive consultations for the Aboriginal Justice Agreement.<sup>11</sup>

It is for these reasons that collaboration between government agencies and Aboriginal leaders and communities is essential to achieve change.

Some issues such as addressing all forms of discrimination and racism that impact on justice outcomes, or changing laws that have a detrimental impact on Aboriginal people, can only be tackled through strong leadership from within government agencies.

Other issues such as dealing with unresolved grief, loss and trauma arising from past policies and practices requires strong leadership and direction from within Aboriginal communities, combined with support and funding from government agencies and non-government service providers.

Stressors such as family and domestic violence, homelessness, substance misuse, poor mental and physical health, unemployment and racism contribute to high offending rates.<sup>12</sup>

The justice system plays a critical role in maintaining law and order and community safety. Government agencies and contracted service providers must consider change at every stage of the justice system to make services more relevant and effective for Aboriginal people. But these changes must be led from within Aboriginal communities to strengthen families, reduce the likelihood of offending and improve community safety.

As recommended in the 1991 Royal Commission into Aboriginal Deaths in Custody, arrest and imprisonment should be a sanction of last resort.<sup>13</sup>

Police should employ cautions and other non-arrest options wherever practicable, especially for young people.<sup>14</sup>

Diversion to appropriate health and wellbeing services is particularly important when dealing with offenders under the influence of alcohol or drugs because arrest and detention can have fatal outcomes.

# Commitments

- Establish and offer alternatives to custody.
- Establish Community Courts.
- Reduce domestic and family violence offending.
- Review and reform legislative provisions within the justice system that are unfair, discriminatory or detrimental to Aboriginal people.
- Expand community-based sentencing options and non-financial options for the payment of fines.
- Increase opportunities for prisoners to participate in high quality programs to reduce reoffending.

## Actions

### Establish and offer alternatives to custody.

- Establish, maintain, and offer alternatives to custody for Aboriginal offenders in the Northern Territory.
- Ensure that Aboriginal Territorians are involved in the governance, oversight and operation of alternatives to custody and implementation of services.
- Monitor and evaluate alternatives to custody and ensure they meet the needs of Aboriginal Territorians and the Northern Territory Government to achieve the aims of the Agreement.

### Establish Community Courts.

- Develop and establish Community Courts in consultation with Aboriginal communities, members of the judiciary and other relevant legal entities.
- Ensure pre-sentencing reports are prepared for all Aboriginal offenders before a Community Court to identify the behaviours and causes of their offending to assist in their rehabilitation.
- Provide Community Courts with improved sentencing options.

### Reduce domestic and family violence offending.

- Research and develop a non-custodial facility in Central Australia with a therapeutic focus to address domestic and family violence.
- Develop and implement a specialised approach for delivering men's behaviour change, domestic and family violence programs.
- Develop culturally-appropriate, evidence-based rehabilitation programs.
- Improve access to these new programs for victims and all domestic and family violence offenders, including individuals on remand, in custody or supervised by community corrections, especially those serving short sentences or in the early stages of offending.
- Continue the delivery of the specialist approach to domestic and family violence at the Alice Springs Local Court.

## Review and reform legislative provisions within the justice system that are unfair, discriminatory or detrimental to Aboriginal people.

- Revisit and review relevant reports, inquiries and recommendations from Royal Commissions.
- Examine the *Bail Act 1982*, the *Parole Act 1971*, the *Sentencing Act 1995*, *Juries Act 1962*, *Liquor Act 2019*, *Police Administration Act 1978* and the *Criminal Code* to identify any discriminatory impacts on Aboriginal people and identify how these can be addressed.
- Consider the recommendations within the Northern Territory Law Reform Committee's reports on the *Recognition of Local Aboriginal Laws in Sentencing and Bail* and *Mandatory Sentencing and Community-Based Sentencing options*.
- Outline and prioritise the legislative reforms required to achieve this commitment in a report to government.

## Expand community-based sentencing options and non-financial options for the payment of fines.

- Identify the most appropriate models to enable Aboriginal people to resolve outstanding fines through other means, including community work.
- Ensure models to resolve fines, are developed and implemented for Aboriginal people, particularly vulnerable people, and those living in remote areas.
- Extend the range of community based sentencing options available to Aboriginal people.

## Increase opportunities for prisoners to participate in high quality programs to reduce reoffending.

- Review the suitability and accessibility of rehabilitation and diversion programs provided in correctional facilities and by contracted service providers.
- Apply the findings of the review to diversion and rehabilitation programs provided in Northern Territory correctional centres and by contracted service providers.
- Develop and deliver clear strategies to address trauma, loss and grief among prisoners.



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## Aim Two

# Engage and support Aboriginal leadership

Improved justice outcomes for Aboriginal people will only be achieved if the Northern Territory Government works in partnership with Aboriginal Elders, leaders and communities to implement this Agreement. Aboriginal leadership is pivotal to our capacity to improve justice responses and services, and to reduce offending and imprisonment rates.

Research indicates that there is a direct correlation between strong local Aboriginal leadership and positive community outcomes.<sup>15</sup> Aboriginal leaders are more likely to understand local concerns and priorities, deliver initiatives in a culturally competent manner, and increase community participation in programs.<sup>16</sup>

When Aboriginal Territorians are empowered to make decisions that impact on their safety, then the responses are more likely to succeed. The overwhelming response from the Aboriginal Justice Agreement consultations is that Aboriginal voices need to be heard and Aboriginal experience and expertise need to influence and inform policy, service delivery and law reform on a local, territory and national level.

The Northern Territory Government agrees that Aboriginal leadership is integral to achieve the aims of the Aboriginal Justice Agreement.

Aboriginal Territorians emphasised during the Aboriginal Justice Agreement consultations, and as outlined in other reports, that many past policies and practices have actively undermined Aboriginal Territorians' capacity to lead and make decisions. This has resulted in a breakdown of social structures and kinship systems, loss of languages, restriction to lands, waters and cultures, as well as the gradual erosion of Aboriginal rights and responsibilities.

Examples include:

- The ongoing impact of colonisation and a succession of changes reducing autonomy in Aboriginal families and communities.
- The removal of Aboriginal children from families over many generations, commonly known as the Stolen Generations.
- The range of measures that occurred as part of the Northern Territory Emergency Response.
- Replacing community councils with shires.

- Introducing the BasicsCard and Income Management policies.
- The continuing experience of discrimination, racism, and unfair treatment.

In this context, it is more important than ever to recognise the strength, benefit and potency of Aboriginal leadership and to support this leadership in communities and in the justice system.

Over time, the strong traditional values and behaviours of individuals in communities have been eroded or fractured. These factors have impacted on the norms in communities. While many Aboriginal children and young people experience growing up in a safe home and a safe community, many have not been afforded this opportunity.

Participants in the Aboriginal Justice Agreement consultations expressed frustration at the high levels of criminal behaviours in their communities, including domestic and family violence, and alcohol and drug misuse.<sup>17</sup>

Some participants believed that these criminal behaviours stem from the loss and erosion of cultural authority, leadership and control in Aboriginal communities.<sup>18</sup>

Participants expressed that Aboriginal Territorians are key to tackling these problems and how to apply the solutions, with support from government and other parties.<sup>19</sup>

Building respectful and collaborative relationships between government, contracted service providers and Aboriginal community leaders will strengthen local decision-making.

Restoring, maintaining, supporting and building these relationships is essential for re-establishing authority and respect between generations, agencies, and service providers.

Law and Justice Groups and Community Courts will play critical roles at the local level in strengthening communities and to achieve the aims of the Aboriginal Justice Agreement.

# Commitments

- Establish and maintain respectful place-based engagement with Aboriginal Territorians in decision-making.
- Establish and support Law and Justice Groups.
- Promote the uptake of leadership roles for Aboriginal people including appointments as Justices of the Peace and Commissioners for Oaths.

## Actions

### Establish and maintain respectful place-based engagement with Aboriginal Territorians in decision-making.

- Maintain equitable, robust and respectful engagement with Aboriginal people to deliver on the initiatives in the Aboriginal Justice Agreement.
- Adhere to the principles of the Northern Territory Government's Local Decision Making Framework.
- Listen to and hear the aspirations and needs of all Aboriginal people when making decisions.
- Ensure local decision-making is informed and supported by local, validated data.
- Work towards gender balance in local decision-making.

### Establish and support Law and Justice Groups.

- Develop a process for the assessment and selection of Law and Justice Groups.
- Partner with local Aboriginal leaders and respected persons to co-design models for the operation of each Law and Justice Group.
- Deliver training and information to Law and Justice Group members.
- Establish and support Law and Justice Groups across the Northern Territory.
- Develop a Local Action Plan for each Law and Justice Group.

### Promote the uptake of leadership roles for Aboriginal people including appointments as Justices of the Peace and Commissioners for Oaths.

- Deliver a marketing and communication strategy to attract interest and applications from Aboriginal people to become Justices of the Peace and Commissioners for Oaths.
- Assist Aboriginal Territorians with applications and the selection process to become Justices of the Peace and Commissioners for Oaths.
- Encourage Aboriginal people to take up leadership roles across the Northern Territory.





## Aim Three

# Improve justice responses and services for Aboriginal Territorians

Aboriginal Territorians face challenges when accessing and navigating the justice system. Aboriginal people may not be aware of their rights and responsibilities or the services available. There are barriers to the uptake of services. Even when services are accessed, Aboriginal people do not always obtain a satisfactory outcome.

Many Aboriginal Territorians have extensive experiences of trauma, loss and grief, which impacts on their lives and brings them into contact with the justice system. Frequently these issues remain unresolved, or are exacerbated.

Aboriginal Territorians who are older, female, disabled, or living with chronic medical or mental health illness, are especially vulnerable in a system that we were told was not sufficiently inclusive and responsive.

Accessible and relevant services that support people to break the cycle of offending and address trauma will make families and communities stronger and safer.

Rigorous accountability of individual staff, government agencies and contracted service providers is needed to implement key recommendations from reviews and inquiries that have identified individual and system failures when delivering services to Aboriginal Territorians.

Aboriginal Territorians require access to relevant and effective government and non-government services that are adapted to meet the Northern Territory's geographic, demographic, language, cultural and social realities.

The Agreement recognises the importance of empowering Aboriginal communities to lead and collaborate with government and contracted service providers to ensure that everyone is held accountable for the delivery of services.

Changes to policies and services made as part of this Agreement will also be informed and validated by data.

Central to achieving this aim is relevant and accessible information, education, media campaigns and communication strategies by government departments, non-government service providers and statutory authorities that meet the needs of all Aboriginal Territorians.

Aboriginal Territorians rarely directly access justice related and other complaint systems, including those offered by independent statutory authorities such as the Northern Territory Ombudsman, the Independent Commission Against Corruption and the Northern Territory Anti-Discrimination Commission. Intensive efforts are required to ensure Aboriginal Territorians can readily access these services. The Agreement will build awareness and confidence in all Northern Territory complaints processes.

Improving services requires identifying and eliminating systemic racism and discrimination within both government agencies and contracted non-government service providers. Staff who are unskilled or unsuitable to work with Aboriginal people compromise the effective and efficient delivery of services and will not improve or meet intended outcomes.

Evidence of systemic racism is sometimes met by denial, minimisation and deflection of responsibility. This Agreement embraces openness, honesty and ownership of systemic short-comings by government agencies and non-government organisations in service delivery to Aboriginal people.

Data is essential to improve services for Aboriginal Territorians. Where there is no data it is difficult to hold agencies and service providers accountable for the delivery of the expected outcomes in contracts.

The Agreement seeks to improve the collection, analysis and interpretation of data impacting on justice outcomes for Aboriginal Territorians. This will allow changes in government policies and dialogue between senior executives and Aboriginal leaders to improve justice responses and services for Aboriginal Territorians.

# Commitments

- Identify and eliminate systemic racism in government agencies and contracted service providers that directly or indirectly discriminate against Aboriginal Territorians engaged in the justice system.
- Improve the collection, analysis and interpretation of data that impacts on justice outcomes for Aboriginal Territorians.
- Increase Aboriginal Territorians knowledge and use of justice and other complaint mechanisms.
- Review and redesign key service models and any contracted services that impact on justice outcomes to ensure they are efficient, effective, and meet the needs of Aboriginal Territorians.

## Actions

### **Identify and eliminate systemic racism in government agencies and contracted service providers that directly or indirectly discriminate against Aboriginal Territorians engaged in the justice system.**

- Review Northern Territory Government agencies and their contracted service providers to identify systemic racism and options for reform.
- Develop and implement a Northern Territory-wide campaign against racism that impacts on Aboriginal people engaged in the justice system.

### **Improve the collection, analysis and interpretation of data that impacts on justice outcomes for Aboriginal Territorians.**

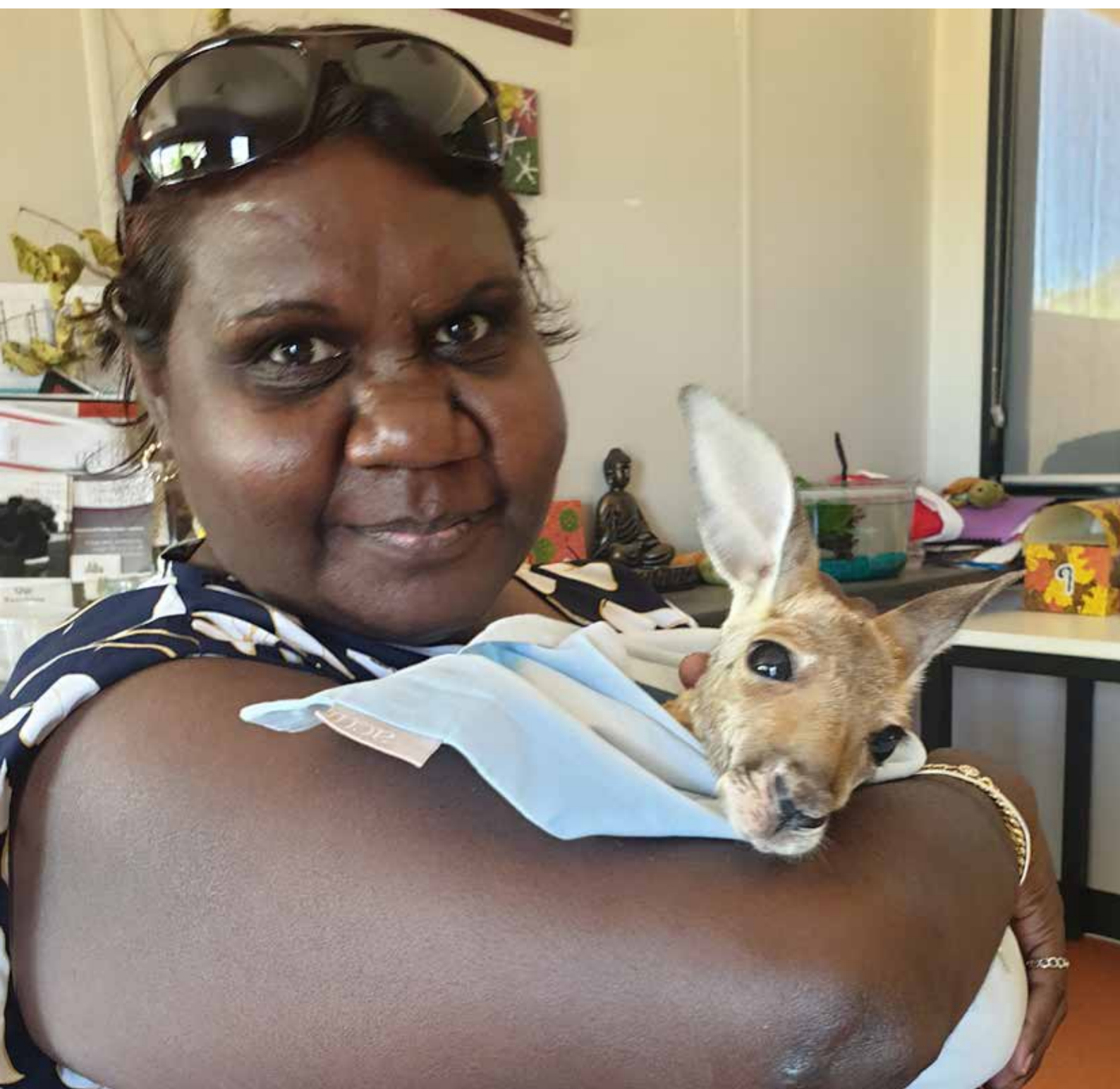
- Identify gaps in data and analysis to improve justice outcomes.
- Provide statistical data and information to inform the preparation of Aboriginal Impact Statements for Cabinet submissions.

### **Increase Aboriginal Territorians knowledge and use of justice and other complaint mechanisms.**

- Work collaboratively to identify the barriers to Aboriginal Territorians accessing complaint systems in the Northern Territory.
- Increase the visibility, presence and accessibility of complaint systems especially for Aboriginal Territorians in remote communities.
- Provide reports to the Aboriginal Justice Agreement Governance Committee on the barriers in complaint systems for Aboriginal people and how they can be overcome.
- Work to implement the recommendations in these reports.
- Support agencies and statutory bodies to raise the awareness of complaint mechanisms to Aboriginal Territorians.
- Work with legal services and entities in the Northern Territory to assist Aboriginal people to access and use complaint systems.

## Review and redesign key service models and contracted services that impact on justice outcomes to ensure they are efficient, effective, and meet the needs of Aboriginal Territorians.

- Identify government agencies, their services, contracted service providers, and programs for redesign that impact on justice outcomes.
- Improve the style, method and delivery of communications to Aboriginal Territorians by government and contracted service providers.
- Develop guidelines and tools to assess the skills and competence of government staff and those contracted by government, to ensure they work effectively with Aboriginal people to achieve their intended outcomes.
- Showcase government agencies and contracted service providers with exceptional skills and suitability when working with Aboriginal people.



# Governance, monitoring and evaluation

Robust and inclusive governance structures are essential to drive the implementation of the Aboriginal Justice Agreement. So too is the need for monitoring and evaluation of the Agreement.

To assist in these deliverables, the Attorney-General and Minister for Justice will oversee the delivery and implementation of the Agreement and table an annual progress report in Parliament.

The Aboriginal Justice Agreement Sub-Committee of Cabinet oversees the implementation of the Aboriginal Justice Agreement and provides advice on policy and legislative reforms relevant to the Agreement.

A Governance Committee will be established comprising Aboriginal representatives from across the Northern Territory, relevant Chief Executive Officers from government departments and current members of the Aboriginal Justice Agreement Reference Committee. The Committee will be jointly chaired by the Chief Executive Officer of the Department of the Attorney-General and Justice and two senior Aboriginal representatives.

To achieve the aims of the Agreement, it is essential to invest in a monitoring and evaluation framework that meets the needs of all parties. This process will complement relevant local and national processes.

The Governance Committee will be responsible for monitoring and reviewing progress towards achieving the aims of the Aboriginal Justice Agreement and ensure the Aboriginal Justice Unit delivers on the commitments and actions.

Chief Executive Officers of relevant Northern Territory Government agencies and Law and Justice Groups will provide progress reports to inform the annual reports.

Law and Justice Groups will develop Local Action Plans that outline place-based, evidence-driven strategies.

An engagement and communications strategy will be developed to inform all Territorians on the progress of the Aboriginal Justice Agreement. This will also be delivered annually.

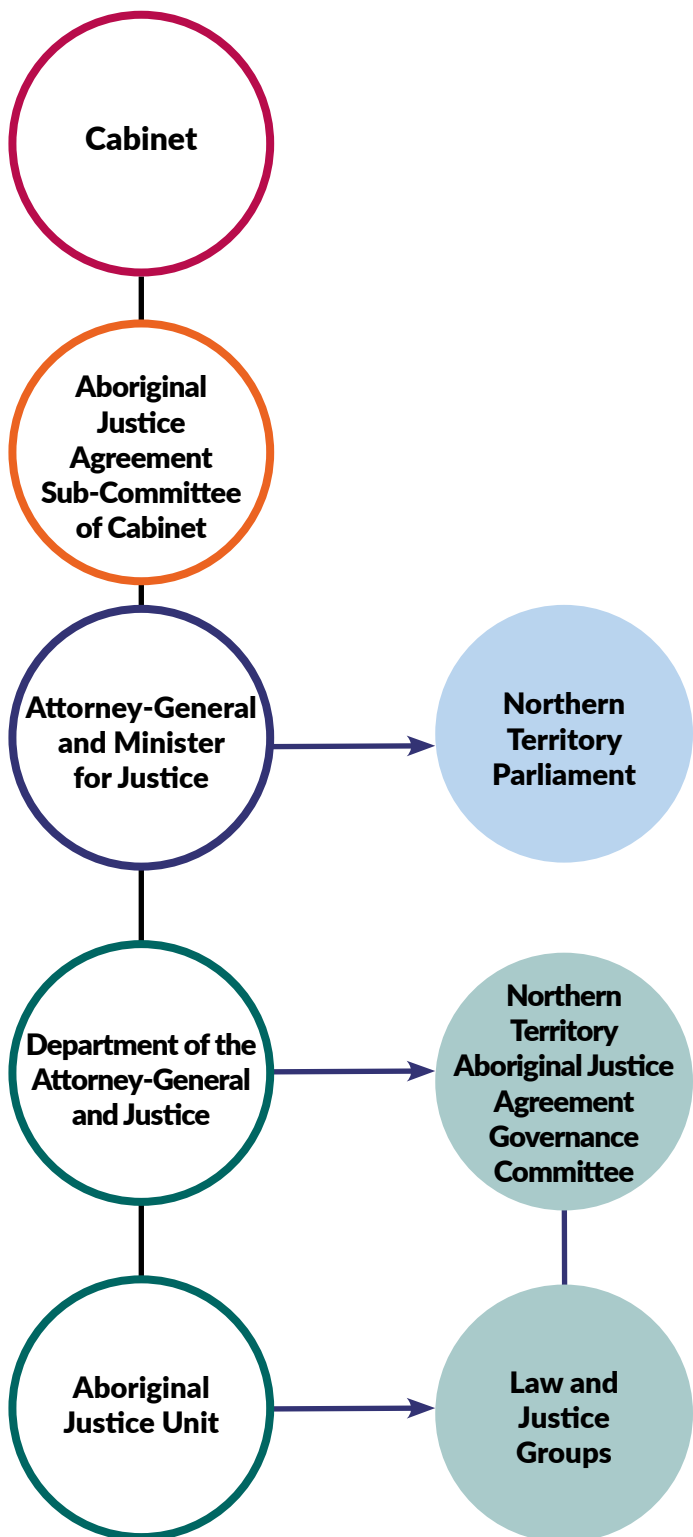
A monitoring and evaluation framework will be developed by the Aboriginal Justice Unit, overseen by the Department of the Attorney-General and Justice to monitor the progress of the Agreement.

Data and evidence will be shared between Northern Territory Government agencies, members of Law and Justice Groups and the Governance Committee. This data will be used to improve service delivery to Aboriginal Territorians and for the monitoring and evaluation of the Agreement.

Independent reviews of the Agreement will be completed. These reviews will be presented to the Governance Committee for consideration by the Attorney-General and Minister for Justice.

The Agreement's progress reports will inform the monitoring and evaluation of the Northern Territory Government's *Everyone Together Aboriginal Affairs Strategy 2019–2029* and the *National Agreement on Closing the Gap*.





**Cabinet**

- Provides approval for the allocation of funding and the approval of the final Agreement.

**Aboriginal Justice Agreement Sub-Committee of Cabinet**

- The Aboriginal Justice Agreement Sub-Committee of Cabinet oversees the implementation of the Aboriginal Justice Agreement and provides advice on policy and legislative reforms relevant to the Agreement.

**Attorney-General and Minister for Justice**

- Oversees delivery of the Agreement.
- Tables an annual progress report of the Agreement.
- Receives the independent reviews of the Agreement.

**Northern Territory Parliament**

- Receives an annual progress report of the Agreement.

**Department of the Attorney-General and Justice**

- Oversees the operations of the Aboriginal Justice Unit.

**Northern Territory Aboriginal Justice Agreement Governance Committee**

- Monitors and reviews progress towards the Agreement’s aims, commitments and actions.
- Approves the content of annual reports on the progress of the Agreement.

**Law and Justice Groups**

- Coordinate responses to local justice issues.
- Develop and implement Local Action Plans.
- Promote Aboriginal leadership.

**Aboriginal Justice Unit**

- Provides administrative and secretarial support.
- Develops a monitoring and evaluation framework for the Agreement.
- Develops and delivers an annual report on the progress of the Agreement.
- Coordinates independent reviews of the Agreement.
- Delivers on the Agreement’s Implementation Plan.
- Develops annual action plans for the Agreement.



# Parties to the Northern Territory Aboriginal Justice Agreement

## Northern Territory Government



Hon Michael Gunner  
Chief Minister of the Northern Territory



Hon Selena Uibo  
Attorney-General and Minister for Justice

## Bipartisan support



Lia Finocchiaro  
Leader of the Opposition



Steven Edgington  
Shadow Attorney-General and  
Minister for Justice

## Co-Chairs of the Northern Territory Aboriginal Justice Agreement Reference Committee



David Woodroffe  
North Australian Aboriginal Justice Agency



Deborah Di Natale  
Northern Territory Council of Social Service

## Members of the Northern Territory Aboriginal Justice Agreement Reference Committee

Alan Cass  
Charlie King  
John Wilson  
Josie Douglas  
Olga Havnen  
Philip Brown  
Priscilla Atkins  
Russell Goldflam  
Samuel Bush-Blansi  
Tony Wurramarrba

Menzies School of Health Research  
No More Campaign  
Tiwi Land Council  
Central Land Council  
Danila Dilba Health Service  
Catholic Care NT  
North Australian Aboriginal Justice Agency  
Northern Territory Legal Aid Commission  
Northern Land Council  
Anindilyakwa Land Council



# References

1. Northern Territory Government 2021, 'Pathways to the Northern Territory Aboriginal Justice Agreement' Department of the Attorney General and Justice, Northern Territory Government.
2. Second round consultation issue no. 1.
3. Wurramarrba, T 2020, 'Anindilyakwa Land Council official Launch of the Community Justice Group', Unpublished speech provided to the Aboriginal Justice Unit.
4. *Australian Human Rights Commission Act 1986* (Cth); *Racial Discrimination Act 1975* (Cth); *International Convention on the Elimination of All Forms of Racial Discrimination 1965*; *International Covenant on Civil and Political Rights 1966*; *International Covenant on Economic, Social and Cultural Rights 1966*; *Convention on the Elimination of all Forms of Discrimination Against Women 1979*; *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984*; *Convention on the Rights of the Child 1989*; *Convention on the Rights of Persons with Disabilities 2006*; *Optional Protocol to the Convention against Torture 2017*; *Declaration on the Rights of Indigenous Peoples 2007*.
5. Second round consultation issue no. 47.
6. Australian Bureau of Statistics, *Prisoners in Australia*, (2017) cat. no. 4517.0, [4517.0-Prisoners in Australia, 2017 \(abs.gov.au\)](https://abs.gov.au).
7. Australian Bureau of Statistics (2020), [Prisoners in Australia, 2020 Australian Bureau of Statistics \(abs.gov.au\)](https://abs.gov.au) Table 14, ABS website, accessed 5 February 2021.
8. Australian Bureau of Statistics, *Recorded Crime - Victims, Australia, 2017* (2018) cat. no. 4510.0, Table 16, [4510.0-Recorded Crime - Victims, Australia, 2017 \(abs.gov.au\)](https://abs.gov.au).
9. [Royal Commission into Aboriginal Deaths in Custody 1991](https://www.royalcommission.gov.au), vol. 1, para. 9.4.1.
10. [Royal Commission into Aboriginal Deaths in Custody 1991](https://www.royalcommission.gov.au), vol. 2; Australian Law Reform Commission (2017) [Pathways to Justice - Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples](https://www.royalcommission.gov.au), Report No 133, Australian Government.
11. First round consultation issue no. 239, 60, 44, 802.
12. [Royal Commission into Aboriginal Deaths in Custody 1991](https://www.royalcommission.gov.au), vol. 2; Australian Law Reform Commission (2017), [Pathways to Justice - Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples](https://www.royalcommission.gov.au), Report No 133, Australian Government.
13. [Royal Commission into Aboriginal Deaths in Custody 1991](https://www.royalcommission.gov.au), vol. 2, recommendation 87a and 92.
14. Australian Law Reform Commission (2017), [Pathways to Justice - Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples](https://www.royalcommission.gov.au), Report No 133, Australian Government, p. 452.
15. Chapman R, Holmes, M, Kelly, L, Smith, D, Weepers, J, Wright, A (2014), '[Yakarra-pardija-pina: Insights from a Developmental Approach to Rebuilding Governance in Aboriginal Communities](https://www.royalcommission.gov.au)', Central Land Council; Hunt, J, Smith, D, '[Indigenous Community Governance Project: Year Two Research Findings](https://www.royalcommission.gov.au)' (2007), CAEPR Working Paper No. 36/2007, Centre for Aboriginal Economic Policy Research; [Royal Commission into Aboriginal Deaths in Custody 1991](https://www.royalcommission.gov.au), vol. 1.
16. [Royal Commission and Board of Inquiry into the Detention and Protection of Children in the Northern Territory 2017](https://www.royalcommission.gov.au), vol. 1, p. 248.
17. Chapman R, Holmes, M, Kelly, L, Smith, D, Weepers, J, Wright, A (2014), '[Yakarra-pardija-pina: Insights from a Developmental Approach to Rebuilding Governance in Aboriginal Communities](https://www.royalcommission.gov.au)', Central Land Council; Hunt, J, Smith, D, '[Indigenous Community Governance Project: Year Two Research Findings](https://www.royalcommission.gov.au)' (2007), CAEPR Working Paper No. 36/2007, Centre for Aboriginal Economic Policy Research; [Royal Commission into Aboriginal Deaths in Custody 1991](https://www.royalcommission.gov.au), vol. 1.
18. First round consultation issue no. 35, 560,947.
19. First round consultation issue no. 366.
20. Second round consultation issue. 64.

