# C Justice preface

Governments provide justice services to ensure a safe society by enhancing public order and security, and upholding the rule of law. This provision involves crime prevention, detection and investigation, judicial processes and dispute resolution, prisoner and offender management, and rehabilitation services. The focus of the following chapters is on the justice services provided by police (chapter 5), court administration (chapter 6) and adult corrective services (chapter 7). These chapters cover:

- the operations of the police agencies of each State and Territory government and the ACT community policing function performed by the Australian Federal Police (AFP)
- the court administration of the State and Territory supreme courts, district/county courts, magistrates (including electronic and children's) courts, coroners' courts and probate registries, as well as the court administration of the Federal Court of Australia, the Federal Magistrates Court, the Family Court of Australia and the Family Court of WA
- the operations of the corrective services agencies within each state and territory, including prisons (both public and private), periodic detention centres and a range of supervised community corrections orders for adult offenders.

Some government services that are not included, but which also contribute to civil and criminal justice outcomes, are:

- crime prevention, diversion and early intervention activities within policing (although chapter 5 contains some information relevant to these activities)
- legal aid services, which provide access to both criminal and civil aspects of the justice system
- alternative dispute resolution services, such as conciliation and mediation
- offices of fair trading or consumer affairs, which operate to minimise incidences of unlawful trade practices
- crimes compensation services and victim support services, which assist victims' recovery from crime
- prosecution services, which bring actions on behalf of the community in criminal actions

- various social services and community organisations that help prisoners released from prison to re-integrate into society, support families of prisoners during their incarceration, and assist people who have contact with the criminal justice system
- the Australian Crime Commission and the federal functions of the AFP
- the operations of tribunals and registries (except for probate and court registries) and judicial outcomes
- the operations of the High Court of Australia and specialist courts (for example, drug courts)
- juvenile justice agencies and services (except children's courts). (Some descriptive information on juvenile justice is included in the community services preface).

## Profile of the justice system

### Real recurrent expenditure (less revenue from own sources)

Recurrent expenditure relates to the annual service costs for the parts of the justice system covered in this Report, and excludes payroll tax. Real recurrent expenditure is derived by applying a Gross Domestic Product (GDP) Implicit Price Deflator (IPD) to the recurrent expenditure data (for the 2006 Report the GDP IPD has a base year of 2004-05). Details on the GDP IPD can be found in appendix A.

Differences between service area costs reported in recurrent expenditure may affect service area comparisons. In this preface:

- capital expenditure is reported for police services but not for court administration or corrective services
- user cost of capital is reported for police services, but not reported for court administration or corrective services.

For corrective services, the data on recurrent expenditure reported in this preface differs from the data reported in the corrective services chapter. Expenditure reported in the corrective services chapter includes depreciation and user cost of capital for the most recent year. The data reported in this preface excludes depreciation and user cost of capital to retain consistency with trend data. This anomaly is under review for future Reports.

Total real recurrent expenditure for those parts of the justice system covered in this Report was $8.3 billion in 2004-05 (table C.1).

Table C.1 **Real recurrent expenditure (less revenue from own sources) on justice services by all Australian governments (2004-05 dollars)[a, b, c]**

| | *2000-01* | *2001-02* | *2002-03* | *2003-04* | *2004-05* | *Annual average growth* |
|---|---|---|---|---|---|---|
| | $m | $m | $m | $m | $m | % |
| Police services[d] | 4 955.8 | 5 094.0 | 5 409.7 | 5 588.9 | 5 686.4 | 3.5 |
| Court admin. — criminal[e] | 436.9 | 439.1 | 442.9 | 441.9 | 457.8 | 1.2 |
| Court admin. — civil[e, f] | 383.0 | 407.1 | 432.7 | 440.4 | 469.8 | 5.2 |
| Corrective services[g] | 1 397.3 | 1 504.4 | 1 600.1 | 1 641.5 | 1 730.5 | 5.5 |
| **Total justice system** | **7 173.1** | **7 444.6** | **7 885.4** | **8 112.7** | **8 344.5** | **3.9** |
| | | | | | | |
| Police services[d] | 69.1 | 68.4 | 68.6 | 68.9 | 68.1 | .. |
| Court admin. — criminal[e] | 6.1 | 5.9 | 5.6 | 5.4 | 5.5 | .. |
| Court admin. — civil[e, f] | 5.3 | 5.5 | 5.5 | 5.4 | 5.6 | .. |
| Corrective services[g] | 19.5 | 20.2 | 20.3 | 20.2 | 20.7 | .. |
| **Total justice system** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** | **..** |

[a] Totals may not sum as a result of rounding. [b] Excludes payroll tax. [c] Excludes expenditure on justice services out of the scope of this Report (e.g., expenditure on specialist courts). [d] Recurrent expenditure on police services includes depreciation and user cost of capital. [e] Recurrent expenditure on court administration includes depreciation but excludes user cost of capital. [f] Civil expenditure excludes expenditure on probate matters. [g] Recurrent expenditure on corrective services excludes depreciation and the user cost of capital. **..** Not applicable.

*Source*: Australian, State and Territory governments (unpublished); tables 5A.1–5A.8, 6A.12–13, 7A.7 and 7A.10.

## Real recurrent expenditure (less revenue from own sources) per person

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

- police agencies in some jurisdictions provide event management and emergency response services, while others do not
- electronic infringement and enforcement systems are within the scope of court administration only in Victoria, Queensland, WA and SA.

Nationally, expenditure per person on justice in 2004-05 was $412 (table C.2).

Table C.2 **Real recurrent expenditure (less revenue from own sources) per person on justice services, 2004-05[a, b, c, d]**

| | *Unit* | *NSW* | *Vic* | *Qld* | *WA* | *SA* | *Tas* | *ACT* | *NT* | *Aust* |
|---|---|---|---|---|---|---|---|---|---|---|
| Police services[e] | $ | 280 | 261 | 266 | 330 | 266 | 271 | 285 | 714 | 281 |
| Court admin.— criminal[f] | $ | 25 | 15 | 21 | 28 | 25 | 25 | 26 | 76 | 23 |
| Court admin.— civil[f, g, h] | $ | 13 | 10 | 7 | 25 | 14 | 7 | 18 | 45 | 23 |
| Corrective Services[i] | $ | 96 | 58 | 81 | 120 | 78 | 70 | 82 | 261 | 85 |
| **Total justice system** | **$** | **414** | **344** | **375** | **503** | **383** | **373** | **411** | **1097** | **412** |
| | | | | | | | | | | |
| Police services[e] | % | 67.6 | 75.9 | 71.0 | 65.6 | 69.5 | 72.7 | 69.3 | 65.1 | 68.1 |
| Court admin.— criminal[f] | % | 6.0 | 4.5 | 5.7 | 5.5 | 6.4 | 6.6 | 6.3 | 6.9 | 5.5 |
| Court admin.— civil[f, g, h] | % | 3.1 | 2.9 | 1.9 | 5.0 | 3.7 | 1.8 | 4.4 | 4.1 | 5.6 |
| Corrective Services[i] | % | 23.3 | 16.7 | 21.4 | 23.9 | 20.4 | 18.9 | 20.0 | 23.8 | 20.7 |
| **Total justice system** | **%** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** | **100.0** |

[a] Totals may not sum as a result of rounding. [b] Excludes payroll tax. [c] Population is estimated by taking the average of the four quarters for the 2004-05 financial year. [d] Excludes expenditure on justice services out of the scope of this Report (for example, expenditure on specialist courts). [e] Recurrent expenditure on police services includes depreciation and user cost of capital. [f] Recurrent expenditure on court administration includes depreciation, but excludes user cost of capital. [g] The Australian total includes Australian Government expenditure on the Family Court of Australia, the Federal Court and the Federal Magistrates Court, which are not attributed to jurisdiction expenditure. [h] WA civil court administration data include the cost of the Family Court of WA, so are not directly comparable with other jurisdictions. [i] Recurrent expenditure on corrective services excludes depreciation and the user cost of capital.

*Source*: Australian, State and Territory governments (unpublished); tables A2, 5A.11, 6A.12–13, 7A.7 and 7A.10.

## Framework of the criminal justice system

The criminal justice system is broad and complex, and has many interrelated objectives. An overarching aim is to ensure that the community has access to a fair system of justice that protects the rights of individuals and contributes to community safety (box C.1).

Box C.1 **Objectives of the criminal justice system**

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

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

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

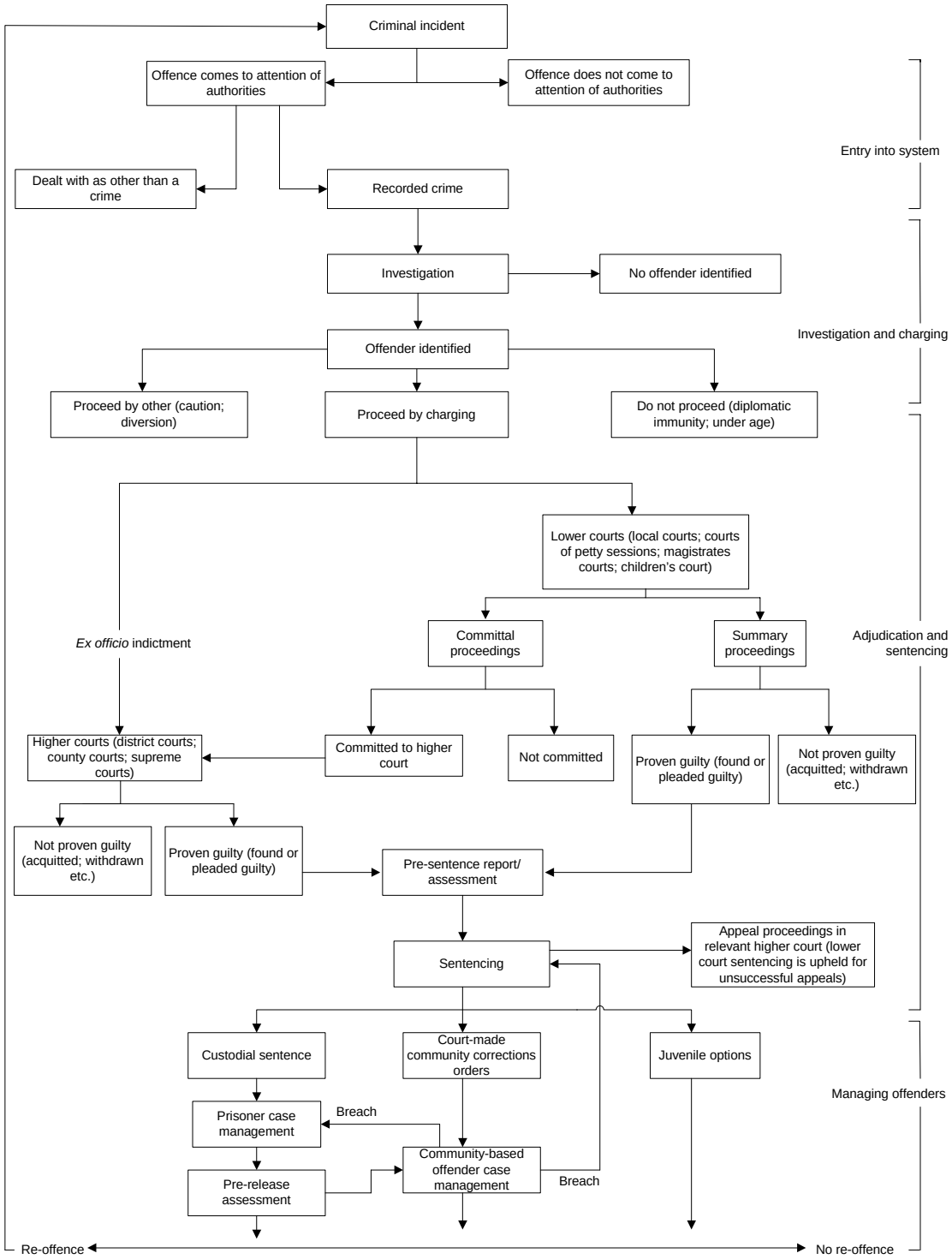
## A model of the criminal justice system

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

- the police service's effect on the judicial system through policing strategies such as police cautions and other diversionary strategies
- the judicial system's effect on the police and correctional systems through sentencing practices
- the correctional system's effect on the judicial system through advisory services provided to courts
- the impact on the justice system of the degree of recidivism experienced.

The criminal justice system is a sequentially structured process whereby people entering the system tend to progress through the system from one agency to another until their matter is resolved. Figure C.1 illustrates the typical stages involved in the processing of cases as they move through the criminal justice system, showing some of the links among police, courts and corrective services. This depiction is broadly indicative and, for brevity and clarity, does not seek to capture all the complexities of the criminal justice system or variations across jurisdictions.

## Figure C.1 **Flows through the criminal justice system** [a, b, c]




[a] Does not account for all variations across jurisdictions. [b] The flow diagram is indicative and does not seek to include all the complexities of the criminal justice system. [c] Juvenile justice is covered in the community services preface.

*Source:* Adapted from ABS (unpublished) Criminal Justice Statistics Framework.

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

## Key indicators of the criminal justice system

The following discussion expands on the policy objectives of the criminal justice system, traces the process by which the criminal justice system operates and draws on several performance indicators used in the Report. Specific equity indicators are yet to be developed for criminal justice. The discussion also identifies areas that are not covered in the Report, but which may be relevant in providing a more complete picture of the operations of, and service delivery options available to, police, courts and corrective services agencies.

### Crime prevention and detection

#### *Effectiveness*

The Report includes measures of community perceptions of safety and rates of reported crime and victimisation. Measures of public perceptions of safety indicate the success of the system in ensuring that the public feel safe both personally and in regard to their property. Public perceptions of safety are reported in detail in chapter 5 and include measures of perceived safety in the home, in public places and on public transport.

The recorded rate of crime is an indicator of the success of crime prevention and law enforcement. Given that several factors can influence recorded rates of crime, including the general willingness of the public to report crimes to police, additional information is also provided. A survey of the community's experience with crime, such as the Australian Bureau of Statistics' (ABS) Crime and Safety Survey, helps to clarify the relationship between reported and unreported crimes. Recorded rates of crime and information from crime victimisation surveys are reported in chapter 5.

### *Efficiency*

The cost per person of the service delivery area ‘community safety and support’ is used for measuring the efficiency of police agencies in delivering these services. These data are contained in chapter 5.

## Crime investigation

### *Effectiveness*

Information on the outcomes of criminal investigations provides a measure of the success of the police in responding to criminal incidents. Chapter 5 reports on outcomes of investigations. The data include the total number of investigations for a range of crimes, the number of investigations finalised as a proportion of total investigations, and the number of investigations that resulted in proceedings against the offending person as a proportion of investigations that were finalised. Chapter 5 also identifies the proportion of investigations that resulted in the offending person being cautioned or diverted from the criminal justice system, as well as the proportion of investigations that were not resolved.

### *Efficiency*

The efficiency measure for crime investigation is the cost per person of delivering the service to the community. These data are contained in chapter 5.

## Presentation and pre-trial

### *Effectiveness*

Measures relating to the proportion of lower court cases resulting in a guilty plea indicate the effectiveness of work undertaken by police and prosecuting services. Chapter 5 provides data for police in this area.

### *Efficiency*

The cost per person of the service delivery area ‘services to the judicial process’ is used to measure the efficiency of the delivery of police prosecution services and is reported in chapter 5. The cost per finalised case in lower criminal courts is used as

a measure of the efficiency of case management by court administrators and is reported in chapter 6.

## Adjudication and sentencing

### *Effectiveness*

Measures relating to the proportion of higher court cases resulting in a guilty plea or guilty finding is an outcome indicator of government's objective to support the judicial process to achieve efficient and effective court case management for judicial processing. These court outcome data are contained in chapter 5. Data on the timeliness of hearings provide further information on the ability of the criminal justice system to meet community demands for accused persons to be dealt with in a timely manner, and on the courts' ability to manage their caseload effectively. The timeliness of case processing in the higher criminal courts is reported in chapter 6.

### *Efficiency*

The average net recurrent expenditure per finalisation in the higher criminal courts is a key indicator of efficiency in court administration and is included in chapter 6.

## Custodial corrections

### *Effectiveness*

Key effectiveness measures of custodial care — prisoner assault, death and escape rates — are reported in chapter 7. These measures are supported by descriptive indicators, such as imprisonment rates (disaggregated by gender and Indigenous status).

### *Efficiency*

Recurrent and capital costs per prisoner per day are key indicators of efficiency and are reported in chapter 7. These data include the costs associated with offender programs, reparation and prisoner custody.

## Community corrections

### *Effectiveness*

In community corrections, a key effectiveness measure is the proportion of orders successfully completed. This measure is supported by descriptive indicators, such as offender rates (disaggregated by gender and Indigenous status). Chapter 7 contains these data.

### *Efficiency*

The cost per offender per day is used to measure the efficiency of providing community corrections. These data are included in chapter 7.

## Offender programs and reparation

### *Effectiveness*

Information on the number of prisoners and offenders undertaking approved education, training and personal development courses provides a measure of the effectiveness of corrective services in providing programs that increase the chances of successful re-integration into the community. Data on participation in programs offered are reported in chapter 7.

Offenders serving community corrections orders can provide reparation by undertaking unpaid community work. Reparation may include prisoners undertaking work in the community. The level and distribution of this reparation are detailed in chapter 7.

Not covered in this Report, but under development, is the delivery of structured, targeted, offence-focused programs for prisoners and offenders, such as sex offence treatment programs and violent offence treatment programs.

### *Efficiency*

The costs associated with offender programs and reparation are not separately identified. These data are incorporated into the cost per prisoner/offender results in chapter 7.

## Overall performance

### *Effectiveness*

Recidivism — the extent to which persons convicted by the criminal justice system re-offend — is a partial measure of the performance of the system in improving public safety by reducing the incidence of crime (box C.2).

This report only includes recidivism indicators for corrective services (for prisons and for community corrections). No recidivism indicators are currently available from police services or courts administration.

Box C.2 **Recidivism reported by corrective services**

Recidivism in this section refers to the rate of prisoner/offender return.

This measure does not include:

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

Further, it is not weighted in any way to account for the nature of the re-offence — for example, a return to prison for a traffic offence is counted in the same manner as a return for a more serious offence such as armed robbery.

The section is disaggregated to report on recidivism of:

- prisoners — defined as persons with court-issued authorities held in full time custody under the jurisdiction of an adult corrective service agency
- offenders — defined as adult persons under community correction orders which includes prisoners released to the community on parole/licence orders.

### *Recidivism — prisoners*

Two indicators of recidivism are reported for prisoners (table C.3):

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

Both indicators are based on the outcomes for prisoners released from custody during the two years before the reporting year. The most recent data for this Report, therefore, relate to prisoners released during 2002-03. The ACT also did not report on either indicator, because the majority of full time prisoners sentenced in the ACT are held in NSW prisons.

Table C.3 **Prisoners released during 2002-03 who returned to corrective services with a new correctional sanction within two years (per cent)[a]**

| | *NSW* | *Vic* | *Qld* | *WA* | *SA* | *Tas* | *ACT* | *NT* | *Aust* |
|---|---|---|---|---|---|---|---|---|---|
| Prisoners returning to: | | | | | | | | | |
| – prison | 43.5 | 38.2 | 30.6 | 40.6 | 31.7 | 37.8 | .. | 42.1 | 38.4 |
| – corrective services[b] | 46.7 | 45.6 | 36.6 | 49.4 | 46.4 | 46.2 | .. | 45.7 | 44.7 |

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

*Source*: State and Territory governments (unpublished).

Table C.4 provides a time series on the proportion of prisoners released who returned to prison within two years. Nationally, 38.4 per cent of prisoners released in 2002-03 returned to prison within two years.

Table C.4 **Prisoners released who returned to prison under sentence within two years (per cent)[a]**

| | *NSW* | *Vic* | *Qld* | *WA* | *SA* | *Tas* | *ACT* | *NT* | *Aust* |
|---|---|---|---|---|---|---|---|---|---|
| 2000-01 | na | 41.8 | 30.4 | 40.9 | 28.3 | 35.4 | .. | na | na |
| 2001-02 | na | 42.5 | 29.5 | 41.2 | 29.2 | 37.7 | .. | na | na |
| 2002-03 | na | 41.1 | 33.2 | 37.0 | 32.4 | 38.8 | .. | na | na |
| 2003-04 | na | 40.1 | 34.1 | 38.2 | 30.8 | 39.3 | .. | na | na |
| 2004-05 | 43.5 | 38.2 | 30.6 | 40.6 | 31.7 | 37.8 | .. | 42.1 | 38.4 |

**a** The counting rule for the total rate of prisoners returning to prison within two years of release was revised for this Report and is now based on all prisoners released following a term of sentenced imprisonment. In previous Reports, prisoners subject to correctional supervision following release were excluded from the recidivism rate calculation. As a result, the total prisoner return rates published in previous Reports cannot be compared to the total rate calculated under the new rules. Total prisoner return rates for the previous four years are re-calculated in this table in accordance with the revised rule. **na** Not available. **..** Not applicable.

*Source*: State and Territory governments (unpublished).

*Recidivism — offenders*

Recidivism among offenders (defined as persons under community correction orders including prisoners released to the community on parole/licence orders) is reported by two indicators (table C.5):

- the percentage of offenders returning to community corrections
- the percentage of offenders returning to corrective services (either prisons or community corrections).

Return to corrective services is the preferred indicator of these two but not all jurisdictions can report this measure. NSW, Victoria and the ACT did not report on either indicator in 2004-05 (table C.5).

Table C.5 **Offenders discharged from community corrections orders during 2002-03 who returned with a new correctional sanction within two years (per cent)**

| | *NSW* | *Vic* | *Qld* | *WA* | *SA* | *Tas* | *ACT* | *NT* | *Aust* |
|---|---|---|---|---|---|---|---|---|---|
| Offenders returning to: | | | | | | | | | |
| – community corrections | na | na | 11.3 | 20.8 | 14.6 | 11.0 | na | 16.2 | 15.2 |
| – corrective services[a] | na | na | 19.2 | 37.6 | 19.3 | 25.0 | na | 26.0 | 25.1 |

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

*Source*: State and Territory governments (unpublished).

*Efficiency*

The efficiency of the criminal justice system is reflected in the level of resources used to deliver those services. Unit cost indicators for individual justice services are presented in the related chapters, but some outcomes result from interactions among the individual services. One indicator of efficiency is annual government recurrent expenditure per person on the criminal justice system (table C.6). Comparisons of unit costs need to account for conflicting objectives and tradeoffs among cost, quality and timeliness, and need to be interpreted in the context of the effectiveness indicators in each chapter.

In 2004-05, expenditure on the criminal justice system was $391 per person nationally. Given improvements in the counting rules and collection scope for each service area over this period, comparisons over time and the annual growth rate of expenditure should be viewed with caution (table C.6).

Table C.6 **Real recurrent expenditure (less revenue from own sources) per person on the criminal justice system (2004-05 dollars)[a, b, c, d]**

| | *Unit* | *NSW* | *Vic* | *Qld* | *WA* | *SA* | *Tas* | *ACT* | *NT* | ***Aust*** |
|---|---|---|---|---|---|---|---|---|---|---|
| 2000-01 | $ | 370 | 295 | 337 | 437 | 346 | 313 | 376 | 896 | **354** |
| 2001-02 | $ | 364 | 309 | 361 | 439 | 357 | 335 | 359 | 957 | **362** |
| 2002-03 | $ | 393 | 324 | 370 | 449 | 378 | 337 | 388 | 920 | **380** |
| 2003-04 | $ | 402 | 332 | 373 | 457 | 352 | 354 | 402 | 985 | **385** |
| 2004-05 | $ | 401 | 339 | 371 | 481 | 373 | 366 | 393 | 1051 | **391** |
| Real annual growth rate | % | 2.0 | 3.5 | 2.4 | 2.4 | 1.9 | 4.0 | 1.1 | 4.1 | **2.6** |

[a] Improvements in counting rules and collection scope for each service area over this period mean that the annual growth rate of expenditure needs to be viewed with caution. [b] Excludes payroll tax. [c] Population is estimated by taking the average of the four quarters of the relevant financial year. [d] Excludes costs of civil court administration, probate hearings and electronic infringement and enforcement systems.

*Source*: State and Territory governments (unpublished); tables A2, 5A.11, 6A.12, 7A.7 and 7A.10.

## Future directions in performance reporting

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

### Juvenile justice

The community services preface contains information on juvenile justice. It contains descriptive data on the number and detention rates of juveniles (including Indigenous juveniles) in correctional facilities. In future years, it is anticipated that the Report will expand to include performance reporting on juvenile justice.

### Criminal Justice statistical framework

The National Criminal Justice Statistical Framework (ABS National Centre for Crime and Justice statistics, unpublished) is an evolving document. It was developed to provide a structure for organising, collecting and reporting data on crime and the criminal justice system. (For more information, see SCRGSP 2004, p. C.17.) The primary purpose of the framework is to identify the key counting units and data variables in the criminal justice system that would allow stakeholders to characterise the main aspects of that system. The framework intends to facilitate the compatibility and integration of aggregated data on populations across the criminal justice system and across geographic areas.

## National Information Development Plan

The National Information Development Plan (NIDP) identifies national needs for data in crime and justice, current key data sources (both ABS and other agencies) and information gaps with reference to national data requirements (ABS 2005). It is a strategic document that has been developed in consultation with the Australian Government, State and Territory justice services, their associated research bodies, and a range of other portfolio agencies and non-government bodies that use this statistical information.

The NIDP lists 12 priority areas for improving the quality, coverage and use of crime and justice information across Australia and provides a map of the work planned over the next three years. The priority areas relevant to this Report include:

- improve data comparability across administrative collections
- improve quality and integration of national crime and safety data
- develop measures of recidivism
- develop statistics on juvenile contact with the crime and justice system.

## Indigenous issues

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

The Report on Government Services focuses on the delivery of government services, whereas the report on Indigenous disadvantage concentrates on high level outcomes and strategic areas for action (which includes criminal justice indicators). The two reports are thus different yet complementary.

The available information on the interaction of Indigenous people with specific parts of the criminal justice system is of varying quality. The most important reason for the poor quality of Indigenous data is that some justice agencies do not ask explicitly for a person's Indigenous status. The standard Indigenous question is the ABS's preferred method of identifying Indigenous clients and aims to facilitate self-identification of Indigenous status.

A number of agencies, however, have improved recording of Indigenous status. Police and corrective services collecting Indigenous status data based on the ABS standard Indigenous questions include NSW, Queensland, WA, and the NT. Corrective services in SA collect data on Indigenous people and are working towards collecting these data using the ABS standard Indigenous question in 2005-06.

Work is being undertaken to enable Victoria's magistrates and children's courts to receive Indigenous identification data electronically from Victoria Police, whose police members will record responses to the ABS standard question. It is planned that these data will then flow to other Victorian court levels as part of the committal and appeal process.

Data on the deaths of Indigenous people in police custody and custody-related operations (for example, most sieges and most cases in which officers were attempting to detain a person, such as pursuits) (chapter 5), the representation of Indigenous people in prisons and community corrections (chapter 7), and Indigenous deaths in prison custody (chapter 7) are of a high quality and are published in this Report.

## References

ABS (Australian Bureau of Statistics) 2005, *Information Paper: National Information Plan for Crime and Justice Statistics 2005*, Cat. No. 4520.0, Canberra.

SCRGSP (Steering Committee for the Review of Government Service Provision) 2004, *Report on Government Services 2004*, Productivity Commission, Canberra.