
B Justice

Part B: 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 *Report on Government Services 2005* is on the justice services provided by police, court administration and adult corrective services.

Indigenous issues

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. A number of agencies, however, have recently moved to rectify this situation.

Police and corrective services collecting Indigenous status data based on the ABS standard Indigenous questions include NSW, Queensland, WA and the NT. An ABS outposted officer is working with police in Tasmania to develop the capacity there to collect this type of data. 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. The standard Indigenous question is the ABS's preferred method of identifying Indigenous clients and aims to facilitate self-identification of Indigenous status.

Work is being undertaken to enable Victoria's Magistrates and Children's courts to receive Indigenous identification data electronically from Victoria Police, who have been instructed to ask the ABS standard question. It is planned that these data will then flow to other judicial jurisdictions as part of the committal and appeal process. Data are expected to be available for the full 2004-05 financial year.

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) (see chapter 5), the representation of Indigenous people in prisons

and community corrections (see chapter 7), and Indigenous deaths in prison custody (see chapter 7) are of a high quality and are published in this Report.

The Australian Institute of Criminology also publishes data on the involvement of Indigenous people in the criminal justice system, particularly in relation to deaths in police and corrective services custody.

Framework of the 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 JP.1).

Box JP.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:

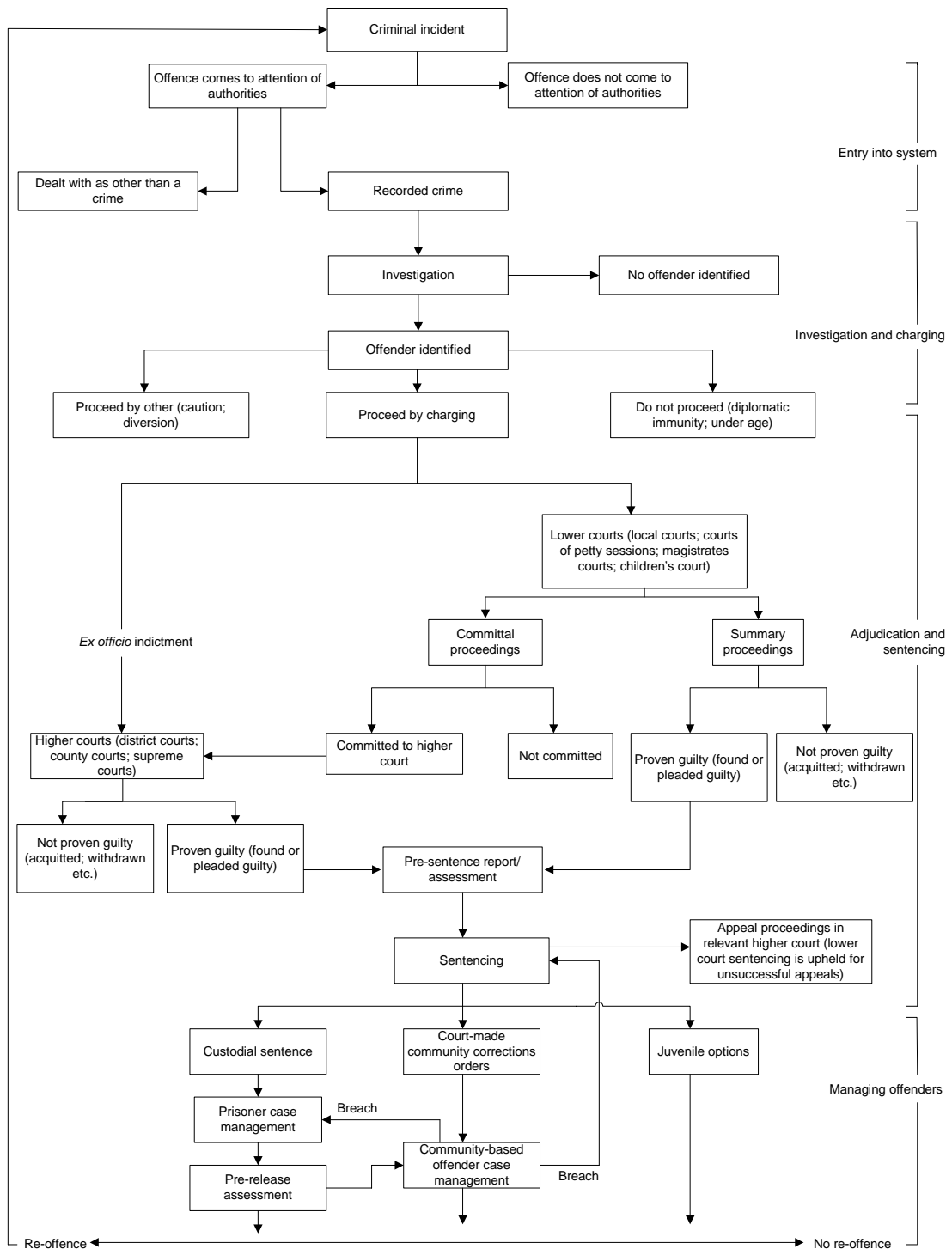
- the operation of police services that enhance community safety by preventing, detecting and investigating crime
- the administration of criminal justice that determines guilt and applies appropriate, consistent and fair sanctions to offenders
- the provision of a safe, secure and humane correctional system that incorporates the elements of safe custody, rehabilitation and restorative justice to the community.

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

Key indicators of the criminal justice system

The following discussion describes the policy objectives of the criminal justice system (box JP.1), follows the process by which the criminal justice system operates (figure JP.1) and draws on several performance indicators used in the Report. Equity indicators are yet to be developed. It also identifies areas that are not covered in the Report, but which may also be relevant in providing a more complete picture of the operations of, and service delivery options available to, police, courts and corrective services agencies.

Figure JP.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); 2005 Report, p. C.7, figure C.1.

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).

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.

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.

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. 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 aim of this consultation was to draw information needs from those responsible for identifying policy issues, asking research questions and making decisions in the area of crime and justice. The NIDP presents recommendations and strategies for information development that will address the priority data needs of users of crime and justice information over the next five years.

Key themes identified for development include expanding the range of characteristics about persons and events in the justice system, with specific emphasis on safety,

Indigenous people, youth at risk, recidivism, substance use, mental health, family violence, cultural diversity and location.