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## B Justice preface

### 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 2006* (2006 Report) is on the justice services provided by police (chapter 5), court administration (chapter 6) and adult corrective services (chapter 7).

### 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. However, agencies are working towards improving the recording of 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.

Police and corrective services collecting Indigenous status data based on the ABS standard Indigenous question 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.

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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.

## **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:

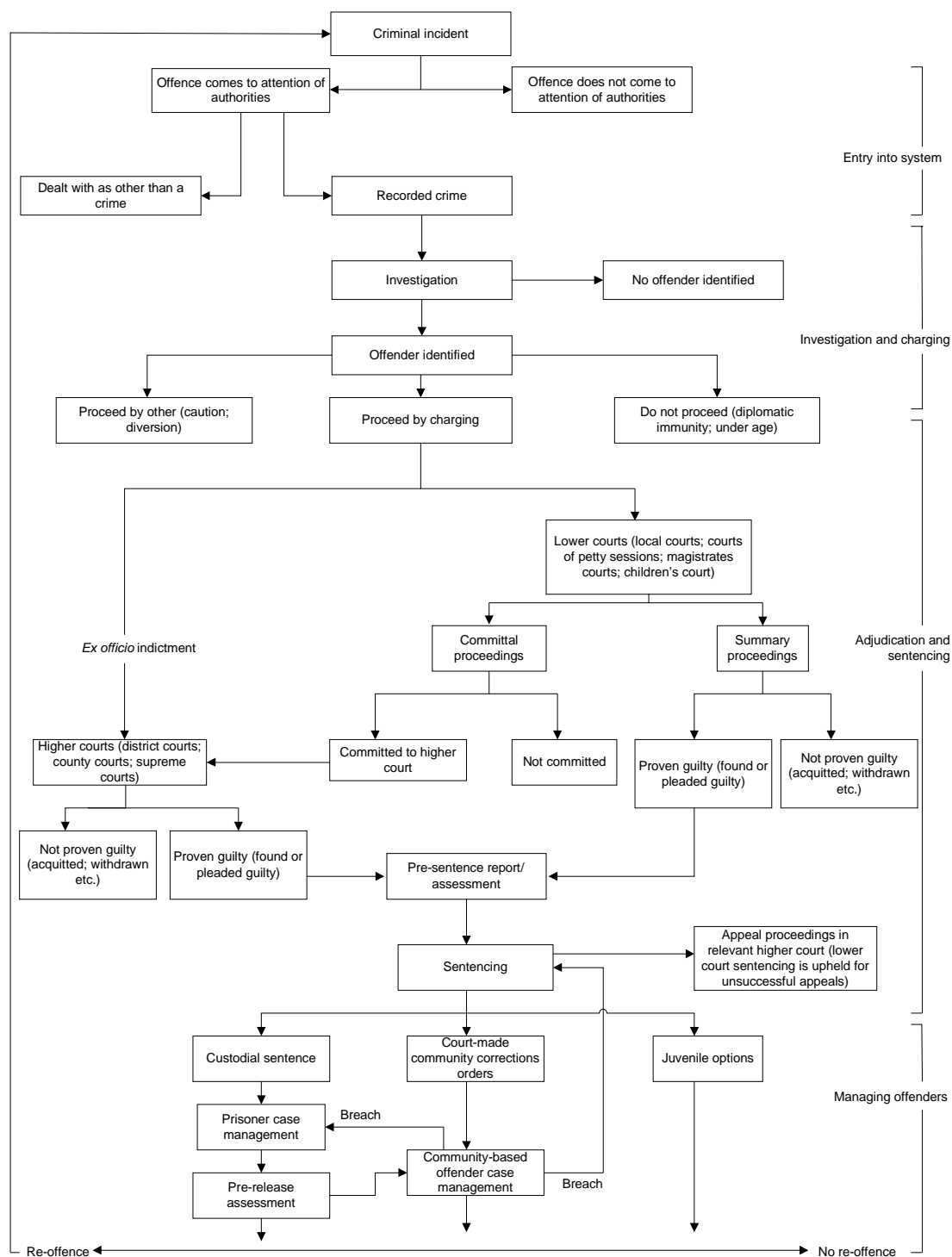
- the operation of police services that enhance community safety by preventing, detecting and investigating crime
- the administration of criminal justice that determines guilt and applies appropriate, consistent and fair sanctions to offenders
- the provision of a safe, secure and humane custodial environment 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.

## **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 administration and corrective services agencies.

Figure JP.1 Flows through the criminal justice system<sup>a, b, c</sup>



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

Source: Adapted from ABS (unpublished) Criminal Justice Statistics Framework; 2006 Report, p. C.6, figure C.1.

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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 JP.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.

### *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.