

APPENDIX 1: List of written submissions

Written submissions were provided to the inquiry in 2007 and we were provided with permission to publish the following ones on the CMC website:

April 16: Doug Brownlow

April 23: PF Lafsky

May 15: Kevin McNulty

May 17: Barbara Ashby

May 18: EM Grant

May 21: Napranum Aboriginal Shire Council

May 23: Russell Steele

May 24: Department of Local Government, Planning, Sport and Recreation

May 28: Torres Strait Regional Authority

May 30: Environmental Protection Agency

May 31: Levitt Robinson Solicitors

June 1: Anonymous

June 1: Gwenda Prickett

June 4: Auditor-General of Queensland

June 4: Sisters Inside

June 5: Lilian Ough

June 7: Queensland Corrective Services

June 8: Australian Institute of Criminology

June 11: James Cook University Law School, Townsville

June 14: Department of Emergency Services

June 15: George Villaflor

June 15: Queensland Law Society

June 26: Mer Island Justice Committee

June 26: Torres Strait Island Community Police

July 6: Queensland Health

July 10: Aboriginal and Torres Strait Islander Legal Service (Qld South)

July 13: Department of Primary Industries and Fisheries

July 24: Department of Child Safety

July 31: Caxton Legal Centre

August 6: Robyn Lucienne

August 9: Legal Aid Queensland

August 24: Queensland Police Service

September 20: Department of Communities

October 16: Cape York Institute for Policy and Leadership

APPENDIX 2: Chronology of reports and policy developments

Two decades of key reports and policy developments relevant to policing and criminal justice matters in Indigenous communities are listed below in date order.

Although our focus is on understanding the necessary background to the policing of Indigenous communities in Queensland, as we have noted in Chapter 1, policing issues cannot be divorced from other crime and justice issues in Indigenous communities, and in turn these necessarily overlap with issues in a wide range of other areas, including education, employment, health and governance. We have therefore referred to major influences and developments relevant to Indigenous affairs more broadly than those focused on policing or crime alone. We have also referred to those events most relevant at the federal level in addition to the state level, as this helps to show the complexity of the picture for Queensland's Indigenous communities.

April 1986 The **Australian Law Reform Commission** (ALRC 1986a, 1986b) reviews the possibility of recognising Aboriginal customary laws in Australia. In doing so, the ALRC examines the current state of policing in Aboriginal communities and identifies a number of factors that contribute to problems in police–Aboriginal relations. These include the array of public order offences police are required to enforce, the important influence of alcohol on Aboriginal contact with police, socio-economic disadvantage among Aboriginal people, the lack of specialised training given to police officers stationed in Aboriginal communities, and ‘unsympathetic attitudes towards police’ (ALRC 1986b, p. 97). The ALRC makes several recommendations to deal with these problems and improve police–Aboriginal relations, most notably:

- better and more regular communication between police and Aboriginal community leaders about police activities within the community
- where applicable, greater emphasis on self-policing by Aboriginal communities to supplement standard policing activities
- careful consideration of the applicability and implementation of police aide schemes; this includes viewing police aide schemes as temporary strategies only, introducing such schemes only when there is clear community support for them, providing police aides with sufficient powers to prevent them from being seen as ‘second-class’ police, and facilitating the transition of police aides to sworn officers
- enhancing police and community education to ensure that police have a better understanding of Aboriginal society (culture, language, etc.) and that Aboriginal people have a better understanding of the police role.

Other suggestions include shifting the police focus from detecting offences to preventing crime, and decriminalising certain minor offences such as public drunkenness to reduce Aboriginal contact with police (ALRC 1986a, 1986b).

July 1989 The **Fitzgerald Inquiry** into suspected police misconduct in Queensland recommends that the focus of policing should shift from traditional reactive policing activities to using more proactive strategies, developing strong partnerships with the community, and involving citizens in crime prevention. The need for tailored, community-based crime prevention programs is emphasised. It is noted that, to ensure the acceptance of and cooperation with community policing in Aboriginal communities, staff with special cultural and language skills will need to be recruited (see Fitzgerald 1989).

- Mar. 1990** The Australian Government–established **Aboriginal and Torres Strait Islander Commission (ATSIC)** commences operation. This elected Indigenous representative body is to ensure Indigenous participation in policy development and implementation, promote self-management, and help to coordinate policies at the federal, state and local level. ATSIC’s Law and Justice program provides funding for prevention, diversion and rehabilitation programs to reduce Indigenous people’s disproportionate contact with the justice system. There is little reporting of outcomes against measurable performance indicators for this program.
- 1991** The **Royal Commission into Aboriginal Deaths in Custody (the Royal Commission)**, which began in 1987, concludes that the high number of Aboriginal deaths in custody is due to the overrepresentation of Indigenous people in custody (Johnston 1991). The Royal Commission’s recommendations include a substantial focus on reforming the operation of the criminal justice system, such as:
- police using arrest only as a last resort and increasing the diversion of Indigenous people from the justice system
 - addressing health and safety problems for Indigenous people in custody and setting clear standards of care for police and corrections.
- The Royal Commission also emphasises the importance of community policing³⁸⁶ for Indigenous communities, the development of community-based justice initiatives and the importance of community input into the criminal justice process (including, for example, through community justice groups).
- Despite voluminous reporting on the ‘implementation’ of the Royal Commission’s recommendations, over 18 years later the evidence shows that its most fundamental aim is yet to be achieved — the reduction of the overrepresentation of Indigenous people in custody.
- Dec. 1992** The **Aboriginal and Torres Strait Islander Overview Committee** is established by the Queensland Government. Representatives from Queensland’s Indigenous communities are appointed by the government to provide a consultation mechanism between the Queensland Government and Indigenous communities regarding the implementation of the Royal Commission recommendations (see Ramsay 1994). A secretariat is provided in the Department of Families, Youth and Community Care.
- May 1993** The Queensland **Aboriginal Justice Advisory Committee (AJAC)** is established in response to the recommendations of the Royal Commission. This committee is to provide advice to the Minister for Justice and Attorney-General on Indigenous criminal justice issues and its secretariat is provided by the Department of Justice and Attorney-General (Queensland Government 1997a; Ramsay 1994).
- 1993** **Community justice groups (CJGs)** are established in Queensland’s Indigenous communities from this time in response to the recommendations of the Royal Commission. Support for the program is provided at this time through the Office of Aboriginal and Torres Strait Islander Affairs in the Department of Families, Youth and Community Care. CJGs may provide support to Indigenous victims and offenders at all stages of the legal process, encourage diversionary processes, make submissions to the courts about sentencing or bail decisions, provide mediation of disputes and perform community corrections functions (see Office of Aboriginal and Torres Strait Islander Affairs 1996).

386 Community policing is a policing strategy and philosophy based on the notion that community interaction and support can help control crime and reduce fear of crime (see Chapter 9 for further information).

- 1994** The Queensland Government initiates the **Local Justice Initiatives Program** (LJIP) in response to the recommendations of the Royal Commission. The program, administered by the Office of Aboriginal and Torres Strait Islander Affairs, provides funding to help Indigenous communities and Indigenous organisations to develop community-based strategies to deal with law and order problems and reduce Indigenous people's contact with the criminal justice system. Projects are funded on the basis of project proposals included in grant applications made to the department (see Office of Aboriginal and Torres Strait Islander Affairs 1996).
- 1995** The Standing Committee of Attorney-Generals (SCAG) decides to establish the **National Aboriginal Justice Advisory Council**, consisting of the chairperson of each state and territory Aboriginal Justice Advisory Committee, with secretariat support provided by the Commonwealth Attorney-General's Department.³⁸⁷
- Aug. 1996** The **Bingham Review** of the Queensland Police Service makes 30 recommendations relating to policing in Indigenous and ethnic communities. The review draws attention to the fact that Indigenous people are still grossly overrepresented in the Queensland criminal justice system. In identifying possible reasons for this, the review highlights the influence of often confrontational and hostile interactions between police and Indigenous people, and raises concerns about the regular use of arrest against Indigenous people, often for comparatively minor offences such as public drunkenness. It recommends that a specific goal to reduce Indigenous overrepresentation be included in the QPS's strategic directions for policing Aboriginal and Torres Strait Islander people, and that strategies such as alternatives to arrest be used to achieve this. It also recommends that the government reconsider its decision not to decriminalise public drunkenness in line with the recommendations of the Royal Commission into Aboriginal Deaths in Custody, and that policies for the management of alcohol-affected people be devised in all police regions, with a focus on diversion rather than arrest whenever possible.
- The review also emphasises that Indigenous communities need to have greater involvement in policing, and encourages the continued development of community policing strategies, particularly beat policing (see Bingham 1996).
- Apr. 1997** The ***Bringing them home*** report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families is released (Human Rights and Equal Opportunity Commission (HREOC) 1997). The report emphasises that past laws, practices and policies that led to the forcible removal of Indigenous children from their families have had wide-reaching intergenerational effects. In particular, it notes that:
- the unresolved grief and trauma of those removed as children have been passed on to their own children
 - removed children, having not had their own experience of being parented or cared for by a close attachment figure, generally have deficient parenting skills and experience uncertainty and anxiety about raising their own children
 - a substantial number of people removed as children have children of their own with serious behavioural problems
 - the very high rates of domestic violence among young men in many Aboriginal communities may be traced to the absence of appropriate male role models caused by past removals.

³⁸⁷ Queensland had previously established its AJAC pursuant to the recommendations of the Royal Commission into Aboriginal Deaths in Custody (see above).

The report stresses that to deal with these problems it is essential to use a holistic approach that first addresses the emotional distress felt by those affected by the removals. It argues that services need to be delivered based on 'Indigenous wellbeing models' — recognising that Indigenous wellbeing is not just physical, but also refers to the 'social, emotional and cultural wellbeing of the whole community' (Swan & Raphael, cited in HREOC 1997, p. 392).

The report also makes reference to the current experience of Indigenous juveniles in relation to the justice system, arguing that the juvenile justice system provides the 'lynchpin' for the criminalisation of Indigenous children and youths (p. 540). It especially notes problems with overpolicing in many communities and the apparent preference for arresting and charging Aboriginal youths rather than issuing cautions or using other diversionary tactics. Nevertheless, the report highlights the importance of addressing the underlying problems of socio-economic disadvantage and dispossession that contribute significantly to Indigenous juveniles' offending and contact with the justice system.

July 1997 **Ministerial Summit on Indigenous Deaths in Custody** held in Canberra. Commonwealth, state and territory ministers with responsibility for justice, policing, correctional services and Indigenous affairs, together with representatives of Indigenous communities, meet to examine issues relating to the implementation of recommendations from the Royal Commission into Aboriginal Deaths in Custody. To address the overrepresentation of Indigenous peoples in the criminal justice system, ministers agreed, in partnership with Indigenous people, to develop strategic plans for the coordination of Commonwealth, state and territory funding and service delivery for Indigenous programs and services, including working towards the development of multilateral agreements between Commonwealth, state and territory governments and Indigenous people and organisations to further develop and deliver programs. It is agreed that the focus for these plans will be to address:

- underlying social, economic and cultural issues
- justice issues
- customary law
- law reform
- funding levels

and that they will include

- jurisdictional targets for reducing the rate of overrepresentation of Indigenous people in the criminal justice system
- planning mechanisms
- methods of service delivery
- monitoring and evaluation (see *Indigenous Law Bulletin* 1997).

1997 The Queensland Government establishes the **Indigenous Advisory Council** to replace the Aboriginal and Torres Strait Islander Overview Committee and the Aboriginal Justice Advisory Committee. The council is to provide advice to the Queensland Government on the full range of issues affecting Indigenous people (Queensland Government 1998).

Aug. 1998 The Queensland Government launches a **Task Force on Crime Prevention** with secretariat support being provided by **Crime Prevention Queensland**, a unit within the Department of the Premier and Cabinet.

Dec. 1999 The Queensland Government releases the **Queensland Crime Prevention Strategy — Building Safer Communities**.

The strategy was developed after the government's 1998 election promise to be 'Tough on Crime and Tough on the Causes of Crime'. It is said to result from extensive community consultation and identification of best-practice initiatives from around the world. The strategy describes a whole-of-government approach to crime prevention. It attracts \$80 million for its first three years, which funds 44 new 'innovative or enhanced' programs operating out of 13 government departments across Queensland. The strategy acknowledges that crime prevention needs a new approach and range of responses rather than simply relying on the criminal justice system to deal with crime. The strategy consists of a range of short- and long-term initiatives using a combination of crime prevention approaches. The programs fall into one of four categories: developmental approaches, community approaches, situational approaches and criminal justice approaches. Of the 44 programs funded under the strategy, 8 are criminal justice based, 7 situational, 6 developmental and 23 community based (Friedman 2001).

A key initiative of the strategy is **Building Safer Communities — A Strategic Framework for Community Crime Prevention**.

Under the Crime Prevention Strategy there are said to be a number of programs designed to reduce crime in Indigenous communities, including: the **Diversion from Custody program** conducted by DATSIP, which seeks to reduce the number of Indigenous people detained for offences relating to drunkenness,³⁸⁸ the **Specialist Drug and Alcohol Workers for Indigenous Communities program**, run by the Department of Tourism and Racing; the **Indigenous Parenting Support Program**, run by Queensland Health; and the **QATSIP pilot program**, which is evaluating the concept of transferring responsibility for community police from community councils to the QPS (Friedman 2001).

1999 Noel Pearson publishes *Our right to take responsibility*, outlining his ideas on welfare reform and economic development. Pearson suggests that Indigenous society is 'dysfunctional' and states that there is a clear link between this dysfunction and alcohol consumption. The book argues that passive welfare has had a devastating effect on Indigenous families and communities, and promotes models based on reciprocity as a way forward (Pearson 1999).

1999 The **Department of Aboriginal and Torres Strait Islander Policy and Development (DATSIPD)** replaces the former Office of Aboriginal and Torres Strait Islander Affairs in the Department of Families, Youth and Community Care. The department is to coordinate government programs and service delivery for Indigenous Queenslanders.

May 1999 The Queensland Government appoints the **Aboriginal and Torres Strait Islander Advisory Board** to replace the Indigenous Advisory Council. A secretariat is provided by DATSIPD/DATSIP. The board is to provide advice to the Queensland Government on Indigenous matters, including the implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody (DATSIP 2001).

³⁸⁸ The **Diversion from Custody program** was established to fund diversionary centres to provide non-custodial facilities for Indigenous people.

1999 The **Interim Assessment of Community Justice Groups: Local Justice Initiatives Program** (DATSIPD 1999) finds that community justice groups are developing innovative and successful strategies for tackling community justice issues by working both within the formal justice system and outside the justice system at the ‘grassroots’ level to address the underlying causes of crime, and makes recommendations on how the potential of the model can be realised. The report recommends that a comprehensive evaluation of the Local Justice Initiatives Program be conducted by an independent reviewer in late 1999 (three years after commencement of the program).³⁸⁹

Dec. 1999 The **Aboriginal and Torres Strait Islander Women’s Task Force on Violence report** refers to the level of violence in Indigenous communities in Queensland as a ‘national disgrace’ and notes that violent crime is worst in rural and remote communities. It agrees that many of the communities can be described as dysfunctional.

The report brings into sharp relief the role of alcohol in crime in Indigenous communities, particularly the need for policing to actively support strategies and laws to reduce the supply of alcohol.

The report is critical of the inability of many policies and programs to result in on-the-ground changes and notes the need for government to measure outcomes to assess the success of the allocation of funding for services and new initiatives. The report is critical of the lack of cooperation and collaboration across and within levels of government. The report recommends a whole-of-government and whole-of-community approach; it supports a reciprocity-based or partnership approach.

The report makes 123 recommendations on ways to reduce violence (Aboriginal and Torres Strait Islander Women’s Task Force on Violence 1999).

Nov. 2000 **COAG** acknowledges the ‘mixed success of substantial past efforts to address disadvantage’ and commits itself to an ‘approach based on partnerships and shared responsibilities with Indigenous communities, program flexibility and coordination between government agencies, with a focus on local communities and outcomes’. It agrees on three priority actions:

1. Investing in community leadership initiatives
2. Ensuring that programs and services deliver practical measures that support families, children and young people, especially ‘measures for tackling family violence, drug and alcohol dependency and other symptoms of community dysfunction’
3. Forging greater links between the business sector and Indigenous communities to help promote economic independence (COAG 2000).

Dec. 2000 **The Next Step: Response to the Aboriginal and Torres Strait Islander Women’s Task Force on Violence Report** describes the *Aboriginal and Torres Strait Islander Women’s Task Force on Violence report* as ‘historic’ and acknowledges that government ‘solutions’ in the past have failed. It states that partnerships between communities and government are the way forward. The Queensland Government response includes:

- the announcement of funding for a wide range of initiatives, including ‘record’ spending on some programs (Queensland Government 2000)
- the Queensland Government’s Ten Year Partnership, which is to include as priorities family violence and justice (Queensland Government 2000)

³⁸⁹ To the best of our knowledge this was never conducted.

- the trial of a whole-of-government, whole-of-community approach to Indigenous affairs called the Cape York Partnership, to be coordinated by the Department of the Premier and Cabinet
- that the government will agree on ways of measuring effectiveness (performance indicators) with communities and will work to reduce the number of service agreements that communities have with various government departments.

Dec. 2000 The **Queensland Aboriginal and Torres Strait Islander Justice Agreement 2000–2011** is signed by the Aboriginal and Torres Strait Islander Advisory Board and the Queensland Government. The Justice Agreement describes itself as ‘important and historic’. The key goal of the agreement is to reduce the rate of overrepresentation of Indigenous people in custody in Queensland by 50 per cent by 2011. This is to be reached through ‘supporting outcomes’ such as providing alternatives to court, effective diversion, effective legal assistance, Indigenous community input into sentencing and the employment of more Indigenous Queenslanders in justice-related government agencies (p. 11).

The Justice Agreement does not identify high rates of crime as one of the main reasons for Indigenous overrepresentation in the criminal justice system. Only one supporting outcome, ‘effective early intervention with those at risk of becoming involved in the criminal justice system’, is focused on crime prevention rather than on improving the operation of the criminal justice system itself. The key action for effective early intervention is ‘provide grants for crime prevention programs’.

The agreement attempts to provide performance measures by which actions taken under the agreement can be assessed.

2000 The **Ten Year Partnership** is announced by the Queensland Government, after consultation with Indigenous people, to provide a long-term, ‘comprehensive’, whole-of-government policy development and performance management framework for addressing Indigenous issues. Eight priority areas are agreed, including ‘justice’ and ‘family violence’. It is stated that under each of the priority areas a statewide agreement will be developed. For the ‘justice’ priority, this is to be the Queensland Aboriginal and Torres Strait Islander Justice Agreement (see above). For the ‘family violence’ priority, a Family Violence Agreement: Safe and Strong Families is to be negotiated.³⁹⁰

2000 **Cape York Partnerships — Some Practical Ideas.** The Department of the Premier and Cabinet details the government’s commitments to a partnership with Indigenous Queenslanders on Cape York, including:

- a commitment to take ‘concrete measures’ to reduce overrepresentation of young people in Cape York in the juvenile justice system and in detention through additional resources allocated to community-based crime prevention activities linked to local justice initiatives
- diverting resources to strengthening community-based orders available to the courts to minimise the use of custodial sentences
- extending the availability of community conferencing
- beginning to trial Negotiating Tables as the key mechanism for community and whole-of-government engagement under the Cape York Partnership policy.

390 A draft Family Violence Action Plan was published for consultation in July 2003. This action plan was said to be still under development at the time of the *Evaluation of the Aboriginal and Torres Strait Islander Justice Agreement* (Cunneen, Collings & Ralph 2005, p. 27). However, according to the Department of Communities (information provided in October 2007), it does not exist and will not be developed.

- Jan. 2001** The *Violence in Indigenous communities* report, commissioned by the Australian Government as part of its National Crime Prevention Program, is published (Memmott et al. 2001). The report notes that there is a high level of violence in Indigenous communities in Australia and suggests that rates of violence are increasing and types of violence are worsening in some areas. The report argues that the extent of alcohol consumption in the community and the extent of violence are a direct reflection of the collective emotional and psychological damage that has been caused to individuals, which manifests as 'dysfunctional community syndrome'. The report focuses on programs and strategies for prevention and reducing Indigenous violence. It:
- suggests a need for an agreed form of reporting to provide reliable indicators for particular communities over time
 - stresses that the highest priority is the implementation and resourcing of many more community-controlled anti-violence programs, and stresses that Indigenous communities need to be more self-determining
 - identifies 29 violence programs planned or implemented in the 1990s in Queensland's Indigenous communities; these include various community justice groups, Petford training farm, several women's shelters and a Queensland Government Self Harm and Substance Abuse Prevention Pilot Program
 - states that only two of the Queensland programs identified were evaluated and only four more across the nation were evaluated
 - suggests that government must support and coordinate local community initiatives, and help communities to prepare community action plans with respect to violence.

July 2001 *Yaldilla standing strong: preventing crime in Aboriginal and Torres Strait Islander communities* (DPC & DATSIP 2001) is published to provide a community crime prevention manual 'to help empower communities to reduce crime' and to help communities to develop their own projects in and for their own communities. It is said that this approach 'respects the ability of Indigenous communities to assess their own needs, source funding and develop community-based projects' (Friedman 2001). The publication states that it is primarily intended for people in rural and remote communities, or small towns.

- Nov. 2001** The *Cape York Justice Study report* of Justice Tony Fitzgerald focuses on the need to address alcohol consumption as an underlying factor in crime, especially violent crime. It identifies three priority areas to address crime and justice issues:
1. Supporting effective community-based crime prevention and early intervention strategies to prevent Indigenous people coming into contact with the justice system (including, for example, sport and recreational activities for young people).
 2. Supporting the diversion of offenders to these community-based alternatives wherever possible.
 3. Improving the mainstream criminal justice system by making it more responsive, accessible, efficient and humane (2001, p. 113).

Although this report does emphasise community-based prevention, early intervention and diversion, it also highlights the need for an improved law enforcement response to crime. The report recommends 'zero tolerance' of family violence (p. 9) and calls for criminal justice system reform to:

- ensure that serious violence and abuse are subject to the full force of the law, sending a clear message that violence will not be tolerated
- address barriers to reporting and appropriate policing (pp. 21 & 34).

The report recommends that that local justice initiatives such as ‘law and order’ by-laws and community justice groups, should be supported to provide effective community-based interventions to deal with crime and justice issues. The report also recommends that police negotiate with individual communities a ‘Community Justice agreement’ to contain agreed expectations about enforcement of the law, particularly in relation to offences arising from family violence.

April 2002 The **COAG trials** are announced. The trials are to provide ‘a whole-of-government cooperative approach’. It is stated that the approach will be ‘flexible in order to reflect the needs of specific communities’ (COAG 2002). The trials proceed in eight Indigenous communities or regions. The aim of the trials is to improve the way governments interact with each other and with communities to deliver more effective responses. For each COAG trial site, a secretary of an Australian Government department is appointed as champion for the region and is to be the main driver of change at the Australian Government level. In Queensland, Cape York is announced as the trial site. Shared Responsibility Agreements (SRAs), negotiated between governments and communities, are to be a key feature of the initiative.

April 2002 The **Meeting Challenges, Making Choices (MCMC) strategy** is the Queensland Government’s response to the Cape York Justice Study. The biggest change resulting from the MCMC strategy is the implementation of **Alcohol Management Plans (AMPs)** to restrict the availability of alcohol in 19 Indigenous communities (often referred to as the MCMC communities)³⁹¹ through ‘restricted area’ regulations under the Liquor Act or ‘dry place’ declarations. AMPs have been progressively implemented since December 2002 (the government reviewed AMPs in 2005–06). The MCMC strategy also implemented:

- the establishment of the Cape York Coordination Unit in Cairns as part of the Department of the Premier and Cabinet to provide a whole-of-government response to the issues faced in Cape York; linked to this is Cape York Partnerships, with Noel Pearson as Director, to promote partnerships with communities, government and business as the way forward
- ‘Negotiation Tables’ as the key mechanism for community engagement for all Indigenous communities
- Government Champions — every chief executive officer of a Queensland Government agency is appointed as Champion for one or more of Queensland’s discrete Aboriginal or mainland Torres Strait Islander communities and Cape York communities with a significant Indigenous population
- some improvements regarding the legislative framework and training for community justice groups.

The government’s MCMC response identifies the following priorities in the crime and justice area:

- Queensland police will work with community justice groups, councils and other government agencies to develop a *Safer Communities* strategy³⁹² that will include night patrols and an improved police response to emergencies.
- A SCAN (Suspected Child Abuse and Neglect) child protection team will be established in every community.

391 Aurukun, Bamaga, Cherbourg, Doomadgee, Hope Vale, Injinoo, Kowanyama, Lockhart River, Mornington Island, Mapoon, Napranum, New Mapoon, Palm Island, Pormpuraaw, Seisia, Umagico, Woorabinda, Wujal Wujal and Yarrabah.

392 We are not aware of any such strategy having been developed.

- The Indigenous Justice of the Peace Program and Local Justice Initiatives Program will be strengthened and expanded.
 - Community policing will be enhanced and expanded in a number of Indigenous communities across the state through the Queensland Aboriginal and Torres Strait Islander Police (QATSIP) project.³⁹³
 - Additional training will be offered to community justice groups to support their expanded role in diversionary initiatives.
 - Police will assess existing policing practices and government will explore innovative alternatives to sentencing, such as using outstations as diversionary measures and community-based corrections.
- July 2002** The operations and responsibilities of the **Cape York Coordination Unit** in Cairns are transferred from the Department of the Premier and Cabinet to DATSIP; DATSIP becomes the lead agency for Aboriginal and Torres Strait Islander matters (DATSIP 2002, 2003).
- 2002** The Queensland Government releases the **Strategic Framework for Community Crime Prevention**. The implementation of the Strategic Framework was said to be founded in partnerships between the Queensland Government, local government and the local community. Local action teams, called BSCATs — Building Safer Communities Action Teams — are to be formed in each participating local government area, to identify the local incidence and causes of crime and community safety concerns, and develop, implement and evaluate local strategies to address those concerns (see Mallet 2005).
- 2003** The *Aboriginal and Torres Strait Islander Justice Agreement Progress Report January 2002 – June 2003* (DATSIP 2003) shows no improvement in Indigenous overrepresentation but that adult incarceration rates are worse and juvenile detention rates remain high. It also shows that money provided to crime prevention initiatives is mostly provided on a non-recurrent basis and to initiatives based in regional centres rather than in Queensland's Indigenous communities. It states that through the Negotiation Tables the Torres Strait Islands are negotiating a regional justice agreement action plan.³⁹⁴
- Mar. 2003** Queensland's **Aboriginal and Torres Strait Islander Advisory Board** is disbanded (DATSIP 2003).
- July 2003** Most of ATSIC's funding and responsibilities are transferred to the newly created Australian Government administrative agency **Aboriginal and Torres Strait Islander Services (ATSIS)**. ATSIC, the elected body, continues to have responsibility for strategic policy.
- Nov. 2003** The first *Overcoming Indigenous disadvantage: key indicators* report of the Steering Committee for the Review of Government Service Provision, commissioned by COAG, identifies indicators to measure the impact of changes to policy and service delivery and the outcomes for Indigenous people (SCRGSP 2003). Headline indicators include:
- substantiated child protection notifications
 - deaths from homicide and hospitalisations for assault
 - victim rates for crime
 - imprisonment and juvenile detention rates.

³⁹³ See Chapter 10 for a detailed discussion of the QATSIP project.

³⁹⁴ To the best of our knowledge, no such plan was ever finalised or actioned.

The report shows that, in relation to imprisonment and juvenile detention rates:

- at 30 June 2002, Indigenous people are 15 times more likely than non-Indigenous people to be in prison; around one-quarter of all sentenced Indigenous prisoners have assault as their most serious offence
- the rate of juvenile detention has declined over the last five years but Indigenous juveniles are still 19 times more likely to be detained than non-Indigenous juveniles.

The report also identifies strategic areas for action and ‘strategic change indicators’, including proportion of diversions as a proportion of all juvenile offenders, alcohol consumption and harm, and repeat offending. For example, in relation to the ‘proportion of diversions as a proportion of all juvenile offenders’ the report states: ‘An advantage of diversions is that they allow the offender to be admonished without the necessity of interaction with traditional court processes. The use of diversions, therefore, can have a critical influence on the extent of an individual’s involvement in the criminal justice system (and consequent implications for future prospects)’ (SCRGSP 2003, p. 7.25).

- Feb. 2004** The Community Engagement Division of the Department of the Premier and Cabinet, including **Crime Prevention Queensland**, was **transferred to the Department of Communities**.
- June 2004** COAG agrees to a **National Framework of Principles for Government Service Delivery to Indigenous Australians**, which includes a commitment:
- to work in partnership with communities
 - that efforts will be focused on the priority areas identified in the *Overcoming Indigenous disadvantage* reports
 - that a focus will be maintained on local and regional outcomes
 - that services will take into account local circumstances
 - to bilateral agreements such as Shared Responsibility Agreements (SRAs) and Regional Partnership Agreements (RPAs, which are negotiated to coordinate government services across several communities in a region)
 - to regular performance review, evaluation and reporting, including through the *Overcoming Indigenous disadvantage* reports (COAG 2004).
- July 2004** In what it describes as a ‘momentous’ decision, the Australian Government transfers ATSIC and ATSI responsibilities and over \$1 billion worth of funding for Indigenous programs to ‘**mainstream**’ Australian Government departments.³⁹⁵ It is said that this transfer will allow the Australian Government to focus on ‘working with local communities listening directly to what they want’ (Vanstone, cited *Lateline* 2004; see also Australian National Audit Office 2007, p. 11).
- Nov. 2004** The **National Indigenous Council** is established; it is an appointed advisory body to the Australian Government through the Ministerial Taskforce on Indigenous Affairs and is chaired by Dr Sue Gordon, a Western Australian magistrate. The council is to provide expert advice to government on improving outcomes for Indigenous Australians.

³⁹⁵ In 2003–04 there was a total identifiable Commonwealth expenditure on Indigenous affairs of \$2.8 billion, including both mainstream and Indigenous-specific expenditure. Around \$1.5 billion was spent through mainstream departments and agencies, such as health, education and social security portfolios. ATSIC and ATSI received about \$1.3 billion in funding from the Australian Government.

Mar. 2005 ATSI and ATSI are formally abolished by the Australian Government and the **Office of Indigenous Policy Coordination** is established within the then Department of Immigration and Multicultural Affairs. **Indigenous Coordination Centres (ICCs)** are established as offices through which departments could deliver services to Indigenous communities.

Sept. 2005 The Queensland Government launches the **Partnerships Queensland: Future Directions Framework for Aboriginal and Torres Strait Islander Policy in Queensland 2005–2010 (PQ)**. This is intended to provide an overarching whole-of-government policy framework to guide ‘a new way of doing business’ with Indigenous Queenslanders. The PQ framework is said to ‘consolidate’ existing policies, including the ‘Making Choices, Meeting Challenges’ strategy, and it identifies four key goals:

- strong cultures
- safe places
- healthy living
- skilled and prosperous people and communities.

These goals are to be achieved through collaboration and partnerships at the local, regional and state levels.

The key goal of ‘safe places’ is said to include the goals of:

- alcohol management
- promoting the development of community-based approaches to justice issues
- crime prevention
- preventing homelessness
- preventing and responding to emergencies.

The goals of ‘safe places’ are also said to include ‘creating a fair and equitable justice system’ and ‘reducing the incidence of crime, especially interpersonal violence’. It says it will achieve this by:

- promoting greater involvement in the administration of justice
- working with communities to promote leadership and greater community involvement in local crime prevention initiatives
- supporting and promoting the work of local community justice groups in responding to justice issues.

The policy states that it is to be assessed through ‘unprecedented’ performance measurement and reporting mechanisms (designed to align with the indicator framework in *Overcoming Indigenous disadvantage: key indicators*). Indicators for success include that:

- the level of violence in Indigenous communities is reduced
- the rate of Indigenous people’s contact with the criminal justice system is reduced, including re-offending
- the number of deaths in custody is reduced
- there is increased community involvement in local crime prevention initiatives and increased community support for community justice groups.

- Dec. 2005** The bilateral **Agreement on Aboriginal and Torres Strait Islander Service Delivery between the Commonwealth of Australia and the Government of Queensland 2005–2010** sets out:
- the principles agreed in the National Framework of Principles for Government Service Delivery to Indigenous Australians
 - the agreed priority areas identified in the *Overcoming Indigenous disadvantage* report and those in the PQ framework
 - agreement that shared responsibility and partnerships will be achieved through agreements at the local level
 - that SRAs are to be negotiated at the community level through Negotiation Tables and supported by an Action Plan
 - that these agreements are to provide the mechanism for promoting the integration of government service delivery to communities.

- 2005** The second ***Overcoming Indigenous disadvantage: key indicators*** report shows, among other things, these deteriorating outcomes:
- The proportion of Indigenous people who reported being a victim of violence increased from 13 per cent to 23 per cent between 1994 and 2002.
 - Increased imprisonment rates; Indigenous women’s imprisonment increased by 25 per cent and Indigenous men’s imprisonment increased by 11 per cent over the period 2000 to 2004.
 - At 30 June 2003, Indigenous juveniles were 20 times more likely to be detained than other juveniles (SCRGSP 2005).

In relation to the strategic change indicator of ‘Indigenous juvenile diversions as a proportion of all juvenile diversions’, for example, the report states that a smaller proportion of Indigenous juveniles are diverted than is generally the case for other juveniles. It suggests that diversionary mechanisms, such as cautioning or conferencing, in combination with sports and leisure programs can contribute to a reduction in antisocial behaviour and offending. In relation to the strategic change indicator of repeat offending, the report states: ‘The introduction of special courts — for example, the Koori Court in Victoria, the Murri Court in Queensland and the NSW Circle Sentencing Court — has resulted in a reduction in re-offending’ (SCRGSP 2005, p. xliii).

- Sept. 2005** A Queensland Government ***Meeting Challenges, Making Choices evaluation report*** (2005) notes that achievements in responding to the Cape York Justice Study include:
- implementing alcohol supply restrictions and enforcement in 18 of the 19 MCMC communities
 - providing a statutory basis for the role of community justice groups in these communities
 - establishing the Government Champions program
 - operating Negotiation Tables in most communities to conduct local-level planning between communities and government.

The evaluation notes that further work is needed to achieve the goals of the MCMC strategy in terms of tackling alcohol problems in particular, including demand reduction programs and removing councils from the business of canteen management. The evaluation also notes that there has been limited progress toward other key initiatives under the MCMC strategy, such as the development of a Family Violence Strategy.

2005

The independent *Evaluation of the Aboriginal and Torres Strait Islander Justice Agreement* finds that, since the Justice Agreement was signed, rates of detention for Indigenous juveniles and their levels of overrepresentation have not decreased, and were actually higher in 2003–04 than in 2000–01. More positively, rates of imprisonment for Indigenous adults have generally declined. The report also notes that each department has made some progress in implementing strategies to reduce Indigenous imprisonment rates (such as police cautioning, diversionary programs, community justice groups), but emphasises that these need additional funding and support to achieve their aims. The evaluation further highlights the need for several other strategies to be considered, including more targeted crime prevention programs and law reform in relation to alcohol restrictions (Cunneen, Collings & Ralph 2005, p. xv).

Overall, the evaluation is critical of the Justice Agreement's major aims and principles. For example, it

- argues that identification and discussion of the issue of Indigenous overrepresentation is the weakest part of the Justice Agreement and that more precision is needed regarding the causes of overrepresentation, so that effective programs and strategies can be developed
- states that the agreement fails to acknowledge Indigenous people as victims of crime, not just offenders.

The evaluation notes that there is a need to prioritise and reconsider the agreement's 'supporting outcomes', as some are more proximate than others to the task of reducing Indigenous overrepresentation (Cunneen, Collings & Ralph 2005).

The evaluation suggests that outcome areas should be condensed to diversion of Indigenous children from all stages of the criminal justice system; Indigenous access to and equity/equality before the law; and effective Indigenous policy and programs for offenders.

Major failings identified by the evaluation are:

- the failure of the QPS to ensure that alternatives to arrest are used for Indigenous juveniles and adults and the failure to develop the QATSIP program beyond the pilot communities (p. xvi)
- the failure of DATSIP to properly train and resource the community justice groups (p. xvi)
- the failure of the Department of Justice and Attorney-General to resource and support Murri Courts (p. xvi)
- the failure of Negotiation Tables to adequately deal with justice issues in the development of community action plans or local-level agreements; there is a need to localise issues through local or regional justice agreements or MOUs (pp. xix, & 188–9).

- 2006** *Queensland Government response to the Evaluation of the Aboriginal and Torres Strait Islander Justice Agreement* (Queensland Government 2006a). The government states that the ongoing audit of the implementation of the Justice Agreement will be achieved through the PQ reporting processes. Strategies and deliverables will be developed under PQ's Crime and Violence Response Plan,³⁹⁶ including 'innovative strategies' to:
- reduce contact by Aboriginal and Torres Strait Islander people with the criminal justice system
 - reduce Aboriginal and Torres Strait Islander offending
 - reduce Aboriginal and Torres Strait Islander victimisation
 - improve access by Aboriginal and Torres Strait Islander people to justice, and justice agency responsiveness to Aboriginal and Torres Strait Islander people.
- The response also states that the QPS is undertaking the 'Policing Indigenous Communities Project' under the auspices of the **Law and Justice CEO Committee** to identify best-practice options for policing in Indigenous communities.³⁹⁷
- 2006** The *Partnerships Queensland baseline report* provides the first stage of performance reporting under the PQ framework and provides data against the key indicators. It states that agencies will provide an annual report to Cabinet detailing progress toward the goals of PQ (Queensland Government 2006b).
- 2006** The *Partnerships Queensland implementation progress report* describes progress, including:
- the development and implementation of a Partnerships Queensland Five Year Action Plan, which is said to focus on priority reforms and service improvements
 - developing LIPAs with Indigenous communities, as well as regional-level agreements. It cites the development of the Lockhart River Community Plan 2004–2008 as a 'comprehensive strategic community plan' to have come out of the Negotiation Table process.³⁹⁸
- June 2006** The Australian Government convenes all state and territory governments to attend an **Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities**, which results in the setting up of a **National Indigenous Violence and Child Abuse Intelligence Task Force** as part of a whole-of-government response to remedy violence and child abuse in remote, rural and urban Indigenous communities. The role of the task force includes improved coordination and collection of intelligence and research.
- July 2006** **COAG** agrees that 'generational commitment' is needed to overcome Indigenous disadvantage.
- July 2006** The Queensland Government transfers the responsibilities and functions of DATSIP to the Department of Communities and its **Office of Aboriginal and Torres Strait Islander Partnerships**. Responsibility for CJGs is transferred from DATSIP to the Department of Justice and Attorney-General (Queensland Government 2006a).

396 Information provided by the Department of Communities in October 2007 indicates that this plan does not exist and will not be developed (pers. comm., officer of the Department of Communities, October 2007).

397 The Law and Justice CEO Committee has since been disbanded and this agenda abandoned (pers. comm., officer of JAG, November 2008).

398 It should be noted that we saw the Lockhart River plan and, though it is glossy, it is our view that it is not clearly action focused — it is not clear how actions will be achieved or how it will lead to better outcomes.

Aug. 2006 The Queensland Government creates for a three-year period the **Government Coordination Office — Indigenous Service Delivery** within the Department of Communities to drive ‘urgent and sustained’ service delivery intervention for Indigenous people in the 19 MCMC communities. This office is to develop whole-of-government service delivery plans for each community that address the priorities of family violence, child abuse and alcohol. It is said that this office will provide a new focus on ‘place-based’ solutions to match the needs of the community — as identified by the community — to services and solutions and government funds. The place-based approach is said to emphasise the need for government coordination staff to live and work in discrete communities (see Queensland Government 2008e).

Oct. 2006 The *Review of the Cape York COAG Trial: final report* is released (Urbis Keys Young 2006). After visits to a number of Cape York communities and consultations with key stakeholders, the review finds several positive outcomes of the trial so far. These include:

- increased Commonwealth Government engagement with communities
- improved consultative mechanisms involving all levels of government
- improved cooperation between various Commonwealth and state government bodies.

There was also very positive feedback in some communities, such as in Lockhart River, where a senior public servant was said to have worked successfully with and on behalf of the community.

Overall, however, the review identifies a number of shortcomings in the implementation of the trial. In particular, there was a lack of clarity about the aims and activities of the trial, and no clear strategic direction. Not surprisingly, then, the trial did not have a particularly high profile and very few people had a clear understanding of what it involved. There was also a perception among many stakeholders that the trial was essentially a Commonwealth Government initiative, with little ‘obvious’ activity or involvement in the trial by Queensland Government’s DATSIP. Consistent with this, the review notes that the trial has made no major progress in so far as reducing the extent to which various government agencies operate in isolation from each other (for example, there are no joint contracts or integrated funding). Furthermore, many of those in the communities feel as though their dealings with government agencies are still ‘complex, and confusing, and often frustrating, fragmented and unduly legalistic’ (p. ii).

The review notes that many stakeholders had concluded that the trial was finished, given that the Department of Employment and Workplace Relations withdrew as lead agency at the end of 2005 and no further activity had commenced since then. This was despite there having been no formal end to the trial. It recommends that a decision about the future of the trial be made and clearly communicated to all parties.

Dec. 2006 The Australian Government announces its **Blueprint for Action in Indigenous Affairs**. The blueprint identifies key strategies, including:

- to build incentives and mutual obligation to counter passivity and promote self-reliance
- to streamline and coordinate government service provision, including changing business processes to reduce red tape
- to ensure that all work is transparent and informed by evidence.

For remote communities, the blueprint refers to intensive interventions in a number of priority communities, as agreed with state and territory governments, 'to stabilise the community and demonstrate the merit of coordinated investment and action'. The blueprint sets out priority actions, including in relation to education, children and justice, and sets out how progress against these actions is to be measured. The first report against the blueprint priorities is to be provided by December 2007 (Australian National Audit Office 2007).

Mar. 2007 The report '**An independent assessment of policing in remote Indigenous communities for the Government of Australia**' was delivered. This report was commissioned by the Australian Government after the Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities held in 2006. It considered policing levels in remote Indigenous communities in Queensland, the Northern Territory, Western Australia and South Australia in order to inform the distribution of federal government money to the states and territories for police infrastructure and housing to help increase the permanent presence of police (Valentin 2007).

May 2007 The third *Overcoming Indigenous disadvantage: key indicators* report (SCRGSP 2007) shows that Indigenous people's involvement with the criminal justice system in Australia continues to deteriorate. For example, the report shows that from 2002 to 2006:

- Indigenous imprisonment rates for women increased by 34 per cent and the imprisonment rate for men increased by 22 per cent. After adjusting for age differences, Indigenous people were 13 times more likely than non-Indigenous people to be imprisoned in 2006.
- The difference between Indigenous and non-Indigenous juvenile detention rates increased between 2001 and 2005. At 30 June 2005, Indigenous juveniles were 23 times more likely to be detained than non-Indigenous juveniles.³⁹⁹

The report again cites modified court processes that allow Indigenous input into sentencing, such as the Murri Court, as 'things that work' in this area. Diverting juveniles from detention is said to be 'an important factor in reducing re-offending' (SCRGSP 2007, p. 7.4).

³⁹⁹ From this *Overcoming Indigenous disadvantage* report the previous headline indicator of 'victim rates of crime' is replaced by 'family and community violence'.

May 2007 The Cape York Institute for Policy and Leadership's *From hand out to hand up* proposes a radical **Welfare Reform Trial** in four Indigenous communities to address welfare dependency and the breakdown of social norms, which are regarded as causal factors in the dysfunction of communities in the Cape (CYIPL 2007). The welfare reforms would make payments conditional on responsible behaviour, such as ensuring children are going to school and being free from convictions for certain offences. A **Family Responsibilities Commission (FRC)** is proposed to provide a subjudicial body to administer the scheme and make decisions about a person's compliance with ensuring school attendance and other such matters. The FRC is to use case management and support services, with income management as a last resort to reform individual behaviour. The Australian and Queensland Governments subsequently commit to supporting the trial.

June 2007 *Ampe akelyernemane meke mekarle: 'Little children are sacred': report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse* is released (Wild & Anderson 2007). This report was commissioned by the Northern Territory Government in 2006 after media reports indicating a significant child sexual abuse problem in remote communities in the NT. The report includes 97 recommendations. After the report is released, the Australian Government immediately declares a 'national emergency' in Indigenous communities in the NT and begins its 'intervention' into the management of NT Aboriginal communities. The intervention includes the introduction of:

- an increased police presence in communities
- alcohol restrictions in remote communities
- welfare policy reforms that seek to address the connection between social dysfunction, child neglect and substance abuse on one hand, and passive welfare on the other:
 - welfare payments are made conditional on responsible behaviour such as ensuring that children are going to school
 - a portion of all welfare payments is quarantined for the purchase of household necessities (see Altman & Johns 2008).

July 2007 **Indigenous Partnerships Agreement: An Agreement between Queensland's Aboriginal and mainland Torres Strait Islander Communities and the Queensland Government 2007–2010.** The Queensland Government describes as 'historic' this new partnership agreement signed with the mayors of 19 Indigenous communities. The new agreement is said to be focused on actions that deliver results to deal with disadvantages.

The agreement is said to provide an overarching framework for governments and communities to work together by outlining the priorities and expectations for both government and community action. Priorities identified include child safety and family wellbeing, alcohol and associated violence, and policing.

The agreement provides that each community will enter into its own LIPA identifying actions to address the priorities identified. These are to be negotiated by the end of 2007 with each community through the Negotiation Tables.⁴⁰⁰ The agreement states:

- a fund is to be established to support one-off initiatives arising out of the LIPAs
- annual progress reports are to be produced on LIPAs to track progress.

400 Three LIPAs were agreed before the government changed to pursuing Local Implementation Plans (LIPs).

The agreement states that a formal evaluation will be undertaken over the next three years. The agreement provides some key indicators by which success can be measured. These indicators align with those identified by the *Overcoming Indigenous disadvantage* reports. The agreement also states that more detailed measures will be provided in the LIPAs. A community wellbeing indicator to be reported against will be the number of offences against the person stratified by 'alcohol related' and 'other'.

- July 2007** From this time, machinery-of-government changes caused the **lead agency responsibility for crime prevention in Queensland to transfer from the Department of Communities to the QPS.**
- Dec. 2007** The Queensland Government's **Government Coordination Office — Indigenous Service Delivery** is transferred from the Department of Communities to the Department of the Premier and Cabinet because it is said it will be better positioned there to address urgent concerns about service delivery to remote Indigenous communities in the state.
- Dec. 2007** **COAG agrees targets for 'Closing the Gap'** between the outcomes experienced by Indigenous and non-Indigenous Queenslanders. The agreement is described as 'historic' (see Australian Government 2009). These targets include:
1. Close the life expectancy gap within a generation
 2. Halve the mortality gap for children under five within a decade
 3. Halve the gap in reading, writing and numeracy within a decade.
- COAG also states that it will specifically address the debilitating effect of substance and alcohol abuse on Indigenous Australians. The Commonwealth agrees to double the \$49.3 million in funding previously provided by COAG in 2006 for substance and alcohol rehabilitation and treatment services, particularly in remote areas. The states and territories also commit to investing substantial funding, including strengthening policing of Alcohol Management Plans and licensing laws, as well as additional treatment and family support services (COAG 2007).
- Oct. 2007** The Australian National Audit Office releases its report ***Whole of government Indigenous service delivery arrangements***. It documents the Australian Government's Indigenous expenditure over three financial years as follows:
- \$2.9 billion in 2005–06
 - \$3.4 billion in 2006–07
 - \$3.5 billion in 2007–08.
- The audit suggests that progress has been made towards developing ways of delivering Indigenous services in a more collaborative, coordinated, whole-of-government approach, but that further progress is needed.
- 2007** The **Aurukun Local Partnerships Project** commences. Queensland's Department of Communities, through the Government Coordination Office, introduces a two-year, multi-agency Aurukun Local Partnerships Project to help the Aurukun community gain maximum advantage from employment and business opportunities generated by a Chalco two-year feasibility study for a bauxite mine, and other opportunities in the Aurukun area. The first stages of the project involve the recruitment of the Aurukun Local Partnerships Team and the construction of residential accommodation for the team, both of which are under way. Project Director is former Aurukun OIC Sgt Andrew Clarkson.

- 2007** The Attorney-General's Department of the Australian Government releases a ***Draft National Indigenous Law and Justice Strategy*** (Australian Government, Attorney-General's Department 2007) that had been under development since 2003. It states it is intended to provide a 'bipartisan, coordinated, long-term and multi-jurisdictional approach to reducing the rate of Indigenous representation in courts and in custody while addressing the complex and underlying issues of Indigenous disadvantage'. The strategy is to be accompanied by an 'action plan' that identifies key actions and methods of implementation; it is proposed that the action plan will be monitored and reviewed every two years. The strategy aims to 'reduce crime' and to this end includes the action 'address the underlying causes of crime'. Very few elements of the plan would appear to have any substantial crime prevention potential.
- Jan. 2008** The Australian Government announces its decision to disband the **National Indigenous Council** (Karvelas 2009).
- Feb. 2008** The Prime Minister of Australia, the Hon. Kevin Rudd MP, **formally apologises to Indigenous people for past mistreatment, especially the Stolen Generations**, in Federal Parliament. The apology states that it represents 'a new beginning, a new partnership'. It reiterates the commitment made by COAG to '**Closing the Gap**' in life expectancy, educational achievement and economic opportunity and commits to report to parliament at the beginning of each year on progress toward closing the gap.
- May 2008** The Australian Government announces three additional targets for '**Closing the Gap**':
1. To ensure that all Indigenous four-year-olds in remote communities have access to early childhood education within five years
 2. To halve the gap for Indigenous students in Year 12 attainment or equivalent attainment rates by 2020
 3. To halve the difference in employment outcomes between Indigenous and non-Indigenous Australians within a decade (COAG 2008).
- April – June 2008** The Queensland Government establishes the **State-wide Community Justice Reference Group**. This group includes representation from the Indigenous communities, to provide Indigenous input into community justice processes and the ongoing implementation of the Aboriginal and Torres Strait Islander Justice Agreement (Queensland Government 2006a, 2008l).
- June 2008** The Queensland Government ***Quarterly report on key indicators in Queensland's discrete Indigenous communities January–March 2008*** is tabled in parliament. This report, the first in the series, states that it provides a summary of progress against both the Partnerships Queensland Agreement and the COAG-agreed targets. The report includes brief details of initiatives taken towards the Partnerships Queensland priority of 'safe communities' and reports against the key indicators of community wellbeing, including measures of hospital admissions for assault, reported offences against the person, convictions for breaches of alcohol restrictions, school attendance, children subject to substantiated notifications and children subject to finalised child protection orders (Queensland Government 2008b). As well as providing data on these measures for all the communities as a whole, these reports present information at the individual community level.

- June 2008** Peter Davis SC reports on his **Review of Cape York Sentences** (Davis & Eberhardt 2008). The review considers 71 cases involving Indigenous offenders sentenced in the District Court, the vast majority of which involve offences committed in Cape York communities. The review was triggered by the controversy surrounding the lack of actual imprisonment in the sentences imposed by the District Court in 2007 for nine offenders who pleaded guilty to raping a 10-year-old girl at Aurukun. The review concludes that sentencing patterns for sexual offences occurring in Cape York are not lower than sentencing patterns occurring for offences elsewhere in the state.
- June 2008** Queensland's Department of Justice and Attorney-General releases the report **Improving Cape York justice services** (O'Connor 2008). The report focuses on issues relating to the fairness and equity of justice services such as court processes and legal services. For example, it recommends that consideration be given to introducing Murri Court processes in Cape York communities.
- July 2008** **Welfare Reform Trials**, as proposed in *From hand out to hand up* (CYIPL 2007, see above), commence in Aurukun, Hope Vale, Mossman Gorge and Coen.
- July 2008** **Further alcohol reforms commence**. The Queensland Government introduces a range of measures, including new laws, to help make communities 'as dry as possible'. In addition, it is stated that the alcohol reforms will provide funding for support services to communities, such as drug and alcohol treatment services (Queensland Government 2008a). The Queensland Government commits \$65 million over four years for support services and the Commonwealth is to provide an additional \$36 million. On 1 July 2008, Woorabinda becomes the first community to go completely dry under the reforms (Nelson-Carr 2008a).
- Aug. 2008** The **Quarterly report on key indicators in Queensland's discrete Indigenous communities April–June 2008** shows that rates of hospital admissions for assault continue to be on average almost 20 times the Queensland state average and rates of reported offences against the person continue to be on average about 10 times the state average (Queensland Government 2008c).
- Sept. 2008** The Queensland Government announces its 'blueprint for the future' in **Toward Q2: tomorrow's Queensland** (2008h). The document sets out five ambitions for Queensland in 2020 to be strong, green, smart, healthy and fair. None of the targets specified relate specifically to Indigenous Queenslanders, but in relation to the ambition to be a 'fair' state the document refers to wanting to support 'safe and caring communities' and notes that there is entrenched disadvantage in Queensland's Indigenous communities. *Toward Q2* notes that Indigenous disadvantage is already being addressed by reform agendas at the state and federal level. Although not Indigenous-specific, *Toward Q2* also relevantly includes the target 'all children to have access to quality early childhood education so they are ready for school'.
- Nov. 2008** To underpin the *Closing the Gap* initiative, COAG endorses a new **National Indigenous Reform Agreement** between the Commonwealth and the states and territories and commitments of \$4.6 billion across five Indigenous-specific National Partnership Agreements. Annual reporting against the agreement is to be conducted by the Productivity Commission. The Indigenous-specific agreements are:
- National Partnership Agreement for Indigenous Early Childhood Development
 - National Partnership Agreement for Indigenous Health Outcomes
 - National Partnership Agreement for Economic Participation
 - National Partnership Agreement for Remote Indigenous Housing
 - National Partnership Agreement for Indigenous Remote Service Delivery.

- Feb. 2009** The first annual statement on the *Closing the Gap* initiative, ***Closing the gap on Indigenous disadvantage: the challenge for Australia***, is tabled in Federal Parliament.
- Feb. 2009** After a period of consultation, the Australian Government's Attorney-General's Department calls for nominations for a new **National Indigenous Law and Justice Advisory Body** to provide high-level policy advice to government on Indigenous law and justice policy matters.
- Feb. 2009** The Queensland Government's new **Queensland Aboriginal and Torres Strait Islander Advisory Council** meets for the first time. The 14 council members are said to provide 'a direct link' between Indigenous people and government. It is said that the Minister for Aboriginal and Torres Strait Island Partnerships will chair the meetings, with the Premier participating when possible. It is said the council will provide advice to government 'about how we can realistically meet the COAG targets that have been set' (Nelson-Carr 2009; see also the ATSIP website at <www.atsip.qld.gov.au/government/networks/advisor-council/>).
- Mar. 2009** Post-election machinery-of-government changes implemented in Queensland transfer the responsibilities of the **Government Coordination Office — Indigenous Service Delivery** to the Department of Communities. Within the Department of Communities, **Aboriginal and Torres Strait Islander Partnerships** now carries the mandate for whole-of-government action of Indigenous service delivery; the Indigenous Government Coordination Office no longer exists as such.
- April 2009** The Standing Committee of Attorneys-General releases the consultative draft of the **National Indigenous Law and Justice Framework 2009–2015** for consultation until July 2009. The framework is to 'provide a national approach to serious and complex justice issues affecting Aboriginal and Torres Strait Islander people'. It is stated that the draft framework takes a 'holistic approach to addressing the underlying causes and ongoing consequences of Indigenous peoples' interactions with the Australian justice systems, both as victims and [as] offenders'. The main goals are to reduce overrepresentation of Indigenous people in the criminal justice system, reduce alcohol and substance abuse, and increase community safety.
- The framework acknowledges that the report of the Royal Commission into Aboriginal Deaths in Custody is a foundation document guiding the work of governments in this area. It states, for example, that 'Aboriginal and Torres Strait Islander people in the criminal justice system are often incarcerated for minor offences such as fine default'. The framework provides strategies and actions focused on reducing inappropriate contact with the criminal justice system, including by 'promoting consideration of all policing options'. The framework also includes a strategy to 'implement a broad range of crime prevention initiatives at the local level'.
- The framework states that there is no funding program attached but that it 'articulates a vision'. It describes a process for monitoring its implementation. It states that a comprehensive review of the framework is to be undertaken in 2013–2014.
- June 2009** The **Coordinator-General for Remote Indigenous Services**, Brian Gleeson, is appointed to report to the Hon. Jenny Macklin MP, Minister for Families, Housing, Community Services and Indigenous Affairs, and COAG. The Coordinator-General's role is said to be 'to cut through bureaucratic blockages and red tape, and to make sure services are delivered in remote communities' (COAG 2009).

June 2009 Queensland's Aboriginal and Torres Strait Islander Partnerships Minister, the Hon. Desley Boyle MP, launches a 'first of its kind', whole-of-government reconciliation action plan (Boyle 2009b). The **Queensland Government Reconciliation Action Plan 2009–2012** focuses on 20 key cross-agency initiatives that it states build on the *Closing the Gap* commitments, strengthen the relationships among the government, community, organisations and Indigenous and non-Indigenous people, and increase Indigenous people's involvement in government policy-making. The Queensland Government is to publicly report on progress of implementation of the plan by June 2012. Actions include, for example, that:

- The Queensland Government will support the whole-of-government Queensland Aboriginal and Torres Strait Islander Advisory Council to provide strategic advice to the government on policies, programs and services. (The target relating to this action is that 'by June 2012, all Queensland Government agencies will have engaged with the Queensland Aboriginal and Torres Strait Advisory Council on at least one policy, program or service'.)
- All Queensland Government agencies will have Aboriginal and Torres Strait Islander cultural awareness and cultural capability strategies in place to enable staff to better understand, respect and appropriately work with and deliver services to Aboriginal and Torres Strait Islander people and communities. (The target relating to this action is that by June 2012 all Queensland Government agencies will have appropriate cultural capability strategies in place for employees, especially for those delivering frontline services.)
- The Queensland Government will work actively with Aboriginal and Torres Strait Islander people to achieve the COAG *Closing the Gap* targets and strategies, including in the key areas of childhood, schooling, housing, health and economic participation. (The target relating to this action is that by December 2009 the Queensland Government will have strategies in place to meet the COAG targets.)

July 2009 ***Overcoming Indigenous disadvantage: key indicators 2009*** (SCRGSP 2009), the fourth in this series, adjusts the *Overcoming Indigenous disadvantage* reporting framework to align with the six COAG targets for *Closing the Gap* and reports accordingly against an additional number of headline indicators. Among other things, the report shows that involvement of Indigenous people in the criminal justice system has worsened. It shows:

- The imprisonment rate increased by 46 per cent for Indigenous women and by 27 per cent for Indigenous men between 2000 and 2008. After adjusting for age differences, Indigenous people were 13 times as likely as non-Indigenous people to be imprisoned in 2008.
- The Indigenous juvenile detention rate increased by 27 per cent between 2001 and 2007. Indigenous juveniles were 28 times as likely to be detained as non-Indigenous juveniles at 30 June 2007.

The report again identifies as 'things that work' various initiatives to make the sentencing process of courts for Indigenous offenders more culturally appropriate, such as the Murri Court in Queensland (SCRGSP 2009, p. 20; see also SCRGSP 2007, p. 23). The report also again emphasises the potential of diversionary measures such as cautioning and conferencing to contribute to a reduction in antisocial behaviour and offending.

The report also shows:

- The rate of substantiated notifications for child abuse or neglect increased for both Indigenous and non-Indigenous children from 1999–2000 to 2007–08, with the rate for Indigenous children more than doubling over this period. Indigenous children were more than six times as likely as non-Indigenous children to be the subject of a substantiation of abuse or neglect in 2007–08 (SCRGSP 2009, p. 25).
- Indigenous people were hospitalised as a result of spouse or partner violence at 34 times the rate of non-Indigenous people (SCRGSP 2009, p. 26).

July 2009 COAG (2009):

- agrees to prepare a national strategy to improve food security for Indigenous people living in remote Australia before the end of 2009
- adopts a National Integrated Strategy for Closing the Gap
- agrees to a Closing the Gap: National Indigenous Education Statement
- signs a Closing the Gap: National Partnership Agreement on Remote Indigenous Public Internet Access
- also agrees to a Closing the Gap: National Urban and Regional Service Delivery Strategy to address Indigenous disadvantage in urban and regional locations.

July 2009 The Queensland Government publishes the *Quarterly report on key indicators in Queensland Indigenous communities January–March 2009* (2009b), the fifth in this series. The report shows that rates of hospital admissions for assault and rates of offences against the person, for example, remain high.

Dec. 2008 The Queensland Government's inaugural *Closing the Gap report: 2007–08 report: indicators and initiatives for Aboriginal and Torres Strait Islander peoples* (2008e) affirms the government commitment to work in partnership 'to find new ways and new solutions'.

The report states that it 'demonstrates again' the size and scope of the gap in life outcomes and opportunities between Indigenous and non-Indigenous Queenslanders. The report shows that the gap across almost all indicators is greatest for Indigenous Queenslanders living in remote communities, especially the discrete communities.

The report identifies the following 'areas for action' to achieve COAG targets and Q2: early child development; home environment; economic participation; education and training; healthy lives; safe and supportive communities; governance and leadership; land and culture.

Reporting under this COAG framework is said to build on the Partnerships Queensland reporting. The report states that a more comprehensive report will be produced in 2012–13.

July 2009 The Honourable Karen Struthers MP, Minister for Communities and Housing, launched **For Our Sons and Daughters — A Queensland Government strategy to reduce domestic and family violence 2009–2014** and the first year's **Program of Action**. The goal of the strategy is to better protect victims, particularly women and children, by breaking the cycle of violence as early as possible. The strategy refers to the Cape York Welfare Reform Trial as one of the Queensland Government's achievements to date in this area and states that a high priority must be placed on reducing harm to women and children in Indigenous communities. This year's program for action states that the Department of Communities will 'develop Indigenous domestic and family violence strategies' in the four Welfare Reform communities in 2009–10.

APPENDIX 3: Population of Queensland's Indigenous communities⁴⁰¹

Table 1: Aboriginal community populations

Aboriginal community	Population
Aurukun	1043
Cherbourg	1128
Doomadgee	1082
Hope Vale	782
Injinoo	416
Kowanyama	1021
Lockhart River	551
Old Mapoon (near Weipa)	239
Mornington Island	1039
Napranum	841
New Mapoon	346
Palm Island	1984
Pormpuraaw	600
Umagico	229
Woorabinda	851
Wujal Wujal	326
Yarrabah	2371

Source: ABS 2006 Census (ABS 2007b).

Table 2: Torres Strait Islander community populations

Area*	Torres Strait Islander community	Population
Mainland	Bamaga	784
	Seisia	165
Top Western	Boigu	284
	Dauan	153
	Saibai	337
Near Western	Badu	818
	Mabuaig	251
	St Pauls (on Moa Island)	239
	Kubin (on Moa Island)	201
Central	Yam (Iama)	311
	Sue (Warraber)	247
	Coconut (Poruma)	166
	Yorke (Masig)	300
Eastern	Murray (Mer)	484
	Darnley (Erub)	319
	Stephen (Ugar)	76
Inner	Thursday Island (Waiben)	2546
	Horn Island	586
	Hammond	212
	Prince of Wales (Muralug)	103

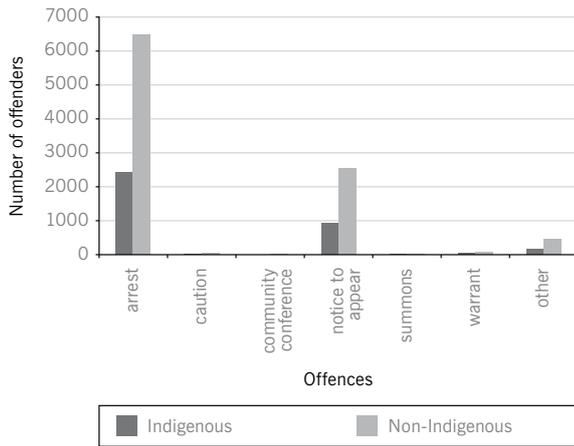
Source: ABS 2006 Census (ABS 2007b).

* Apart from the two Torres Strait Islander communities on the mainland, the Torres Strait Islands can be divided into five major clusters with the populations shown in the table.

⁴⁰¹ These are the population totals for the whole community, including both Indigenous and non-Indigenous residents.

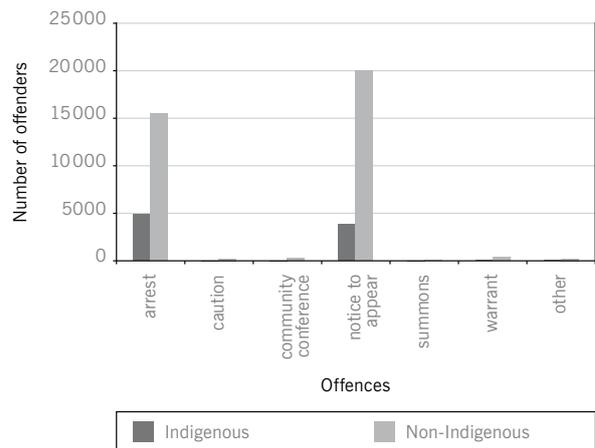
APPENDIX 4: Crime patterns

Figure 1: Police actions taken against Indigenous and non-Indigenous offenders (adults) for offences against the person statewide, 2007–08



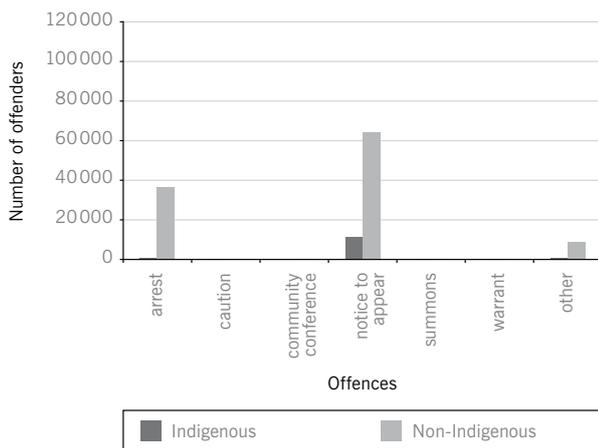
Source: QPS Statistical Review, 2007–08 (QPS 2008a).

Figure 2: Police actions taken against Indigenous and non-Indigenous offenders (adults) for offences against property statewide, 2007–08



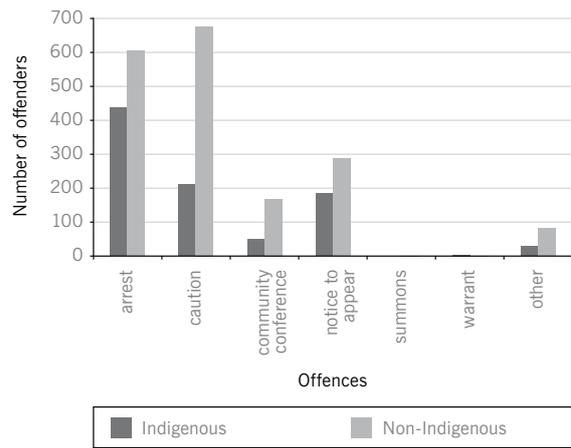
Source: QPS Statistical Review, 2007–08 (QPS 2008a).

Figure 3: Police actions taken against Indigenous and non-Indigenous offenders (adults) for 'other' offences statewide, 2007–08



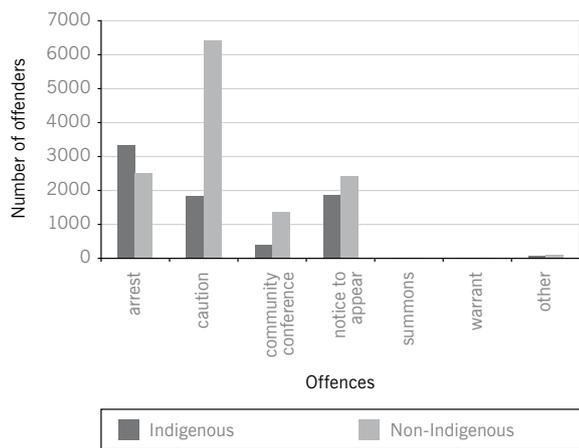
Source: QPS Statistical Review, 2007–08 (QPS 2008a).

Figure 4: Police actions taken against Indigenous and non-Indigenous offenders (juveniles) for offences against the person statewide, 2007–08



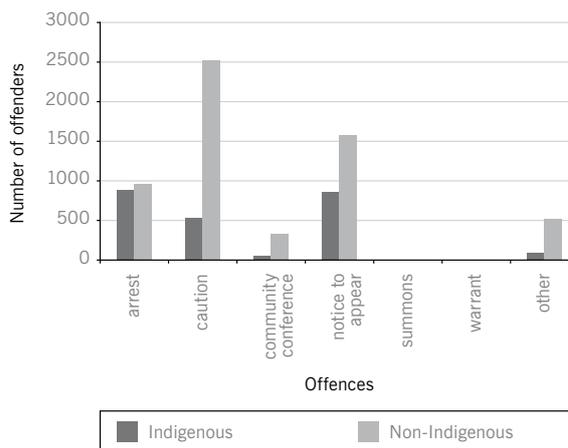
Source: QPS Statistical Review, 2007–08 (QPS 2008a).

Figure 5: Police actions taken against Indigenous and non-Indigenous offenders (juveniles) for offences against property statewide, 2007–08



Source: QPS Statistical Review, 2007–08 (QPS 2008a).

Figure 6: Police actions taken against Indigenous and non-Indigenous offenders (juveniles) for 'other' offences statewide, 2007–08



Source: QPS Statistical Review, 2007–08 (QPS 2008a).

Table 1: Annual rates for offences against the person per 1000 population for Queensland and each Indigenous community (1995–2006)

Year	Offences against the person												
	Queensland	Aurukun	Cherbourg	Doomadgee	Kowanyama	Lockhart River	Mornington Island	NPA	Palm Island	Pormpuraaw	Torres Strait	Woorabinda	Yarrabah
1995	7.86	124.56	65.86	88.81	187.88	67.38	161.94	29.87	65.98	170.68	23.95	62.97	73.12
1996	8.40	178.23	45.35	100.12	144.93	54.70	109.04	23.32	62.08	241.30	30.48	61.26	87.99
1997	8.14	131.36	59.18	124.26	122.91	56.79	77.71	32.57	93.28	184.95	35.20	103.01	80.56
1998	8.58	112.28	100.23	158.60	167.06	38.67	88.09	47.98	83.53	77.89	41.56	126.63	65.20
1999	8.41	115.61	102.72	127.45	154.55	32.43	116.42	32.48	84.02	55.21	37.50	143.80	91.30
2000	8.41	185.60	95.67	109.54	260.34	36.04	141.95	35.45	64.39	64.39	28.07	79.30	99.00
2001	8.85	130.34	100.76	126.98	262.93	39.59	112.63	49.6	81.82	126.73	62.48	104.74	93.32
2002	8.95	72.90	71.03	65.10	144.33	114.67	130.82	31.79	95.12	114.29	33.34	111.36	90.27
2003	8.43	88.31	56.93	75.48	120.63	109.27	145.83	26.69	82.82	138.10	27.24	111.22	71.12
2004	8.46	184.83	52.70	84.57	91.15	67.73	176.85	34.02	74.85	145.8	25.10	174.24	77.32
2005	8.13	205.56	55.78	105.12	84.30	74.67	81.81	53.96	92.51	118.86	31.56	111.11	73.45
2006	8.14	125.32	78.46	53.37	123.87	136.69	111.00	44.63	116.65	160.32	33.31	124.75	86.88

Table 2: Annual rates for offences against property per 1000 population for Queensland and each Indigenous community (1995–2006)

Year	Offences against property												
	Queensland	Aurukun	Cherbourg	Doomadgee	Kowanyama	Lockhart River	Mornington Island	NPA	Palm Island	Pormpuraaw	Torres Strait	Woorabinda	Yarrabah
1995	75.17	170.39	98.41	55.06	101.82	222.05	112.01	48.53	77.22	67.83	61.05	96.93	44.88
1996	78.81	314.59	84.76	104.72	125.60	200.56	90.43	64.65	121.24	108.70	57.72	170.27	67.09
1997	78.92	298.22	173.78	139.64	96.66	101.11	52.09	88.93	108.26	83.87	67.66	225.16	96.48
1998	79.34	146.2	266.01	110.17	87.62	69.33	106.54	80.65	154.03	50.53	120.57	223.46	64.72
1999	83.89	139.88	192.60	117.65	78.41	51.88	105.53	73.46	121.20	69.53	77.92	165.56	106.12
2000	87.42	111.36	184.51	67.14	60.34	50.19	94.10	79.65	100.91	38.23	71.53	219.54	74.73
2001	85.30	163.20	132.82	102.04	70.41	58.75	98.93	116.2	100.96	45.54	59.60	233.20	48.32
2002	75.28	108.92	116.99	71.61	49.67	165.26	68.38	45.47	92.59	61.9	58.19	258.72	78.94
2003	71.78	150.55	73.39	62.12	88.29	119.21	125.99	64.14	128.74	77.78	59.88	136.36	59.20
2004	65.15	207.50	127.31	135.99	79.54	112.88	64.81	67.59	111.86	74.48	60.95	180.74	53.69
2005	59.56	171.86	201.36	113.31	49.33	45.33	73.15	74.75	113.12	110.94	78.29	161.35	65.29
2006	57.09	174.43	118.49	87.78	65.10	89.21	161.72	67.61	88.00	111.11	54.77	267.33	63.66

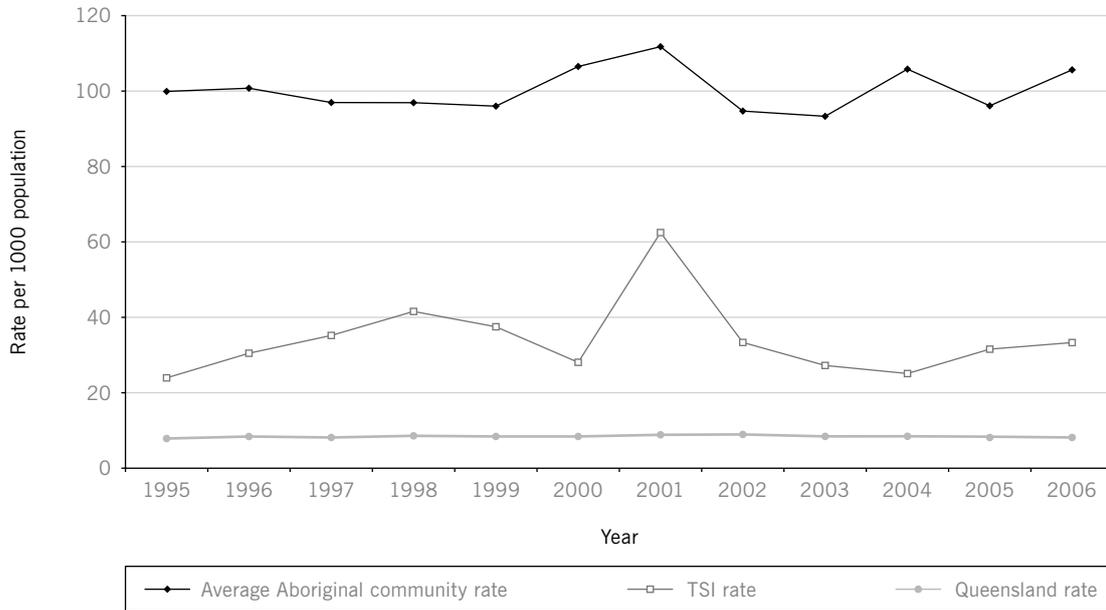
Table 3: Annual rates for 'other' offences per 1000 population for Queensland and each Indigenous community (1995–2006)

Year	Other offences												
	Queensland	Aurukun	Cherbourg	Doomadgee	Kowanyama	Lockhart River	Mornington Island	NPA	Palm Island	Pormpuraaw	Torres Strait	Woorabinda	Yarrabah
1995	24.17	77.56	51.48	115.45	127.27	131.7	336.03	37.87	72.83	210.07	28.82	56.34	101.36
1996	25.78	175.84	37.92	147.30	100.24	130.43	274.82	28.62	52.86	243.48	72.30	49.55	114.24
1997	27.36	191.72	59.18	269.82	84.73	166.2	342.44	54.29	100.53	189.25	49.13	78.4	126.39
1998	28.21	111.11	107.01	308.72	165.89	234.67	288.59	85.76	92.71	149.47	57.30	112.66	152.92
1999	28.38	90.17	123.87	241.42	115.91	94.68	264.66	28.99	202.32	85.89	52.36	109.74	131.93
2000	30.26	172.10	187.55	186.10	267.04	66.92	229.67	42.74	144.64	80.48	45.62	123.79	179.44
2001	30.53	242.06	190.84	369.61	489.55	98.34	173.52	60.46	127.27	114.85	54.61	220.36	181.90
2002	32.22	246.14	133.01	317.06	528.58	408.09	309.22	82.12	107.32	166.67	63.85	332.96	208.46
2003	35.59	216.99	159.12	259.85	246.50	273.18	232.14	58.11	115.62	271.43	40.08	303.68	106.05
2004	36.82	372.28	218.34	238.16	230.56	266.93	317.59	62.07	88.31	464.34	49.24	388.53	152.92
2005	38.41	396.80	382.31	242.32	263.68	218.67	383.06	72.09	172.41	226.62	50.76	352.66	131.87
2006	40.21	419.14	489.19	177.67	275.77	237.41	466.03	97.22	244.91	320.63	49.22	428.71	127.74

Source: QPS crime report data, 2007.

Note to Tables 1–3: The AMP restrictions on alcohol commenced on the following dates: Aurukun in January 2003; Cherbourg in December 2004; Doomadgee in June 2003; Kowanyama in December 2003; Lockhart River in December 2003; Mornington Island in November 2003; NPA in January 2004; Pormpuraaw in December 2003; Woorabinda in October 2003; and Yarrabah in February 2004. The Palm Island AMP was not introduced until 2006. There is no AMP in the Torres Strait Islands.

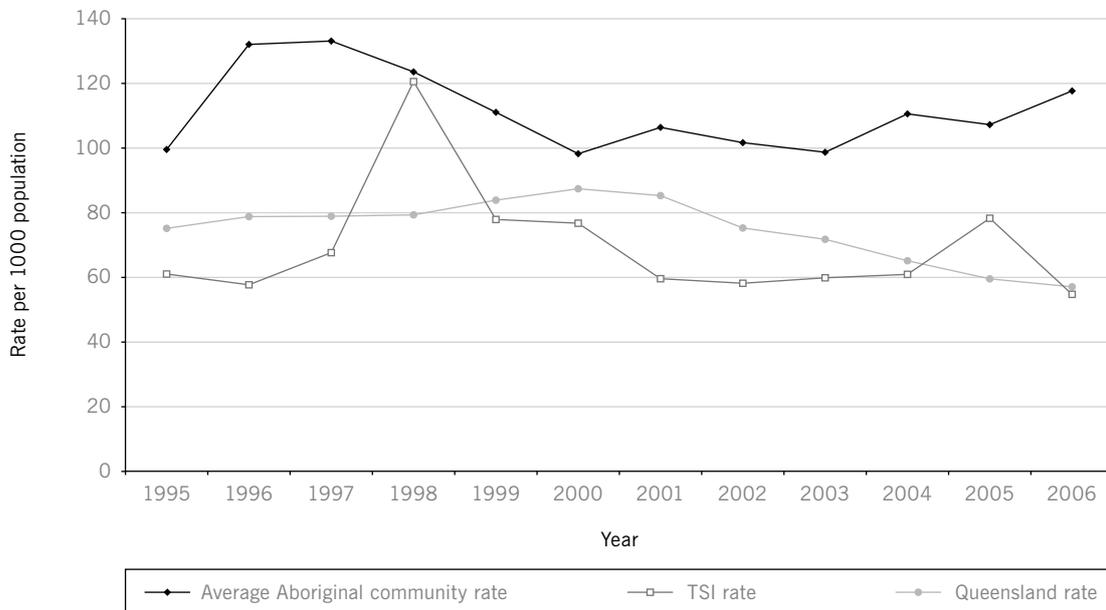
Figure 7: Offences against the person — average annual offence rates per 1000 population for Queensland’s Aboriginal and Torres Strait Islands communities and across Queensland (1995–2006)



Source: QPS crime report data, 2007.

See the notes to Figure 4.1 in Chapter 4 for an explanation of which communities are included in the data shown in this figure.

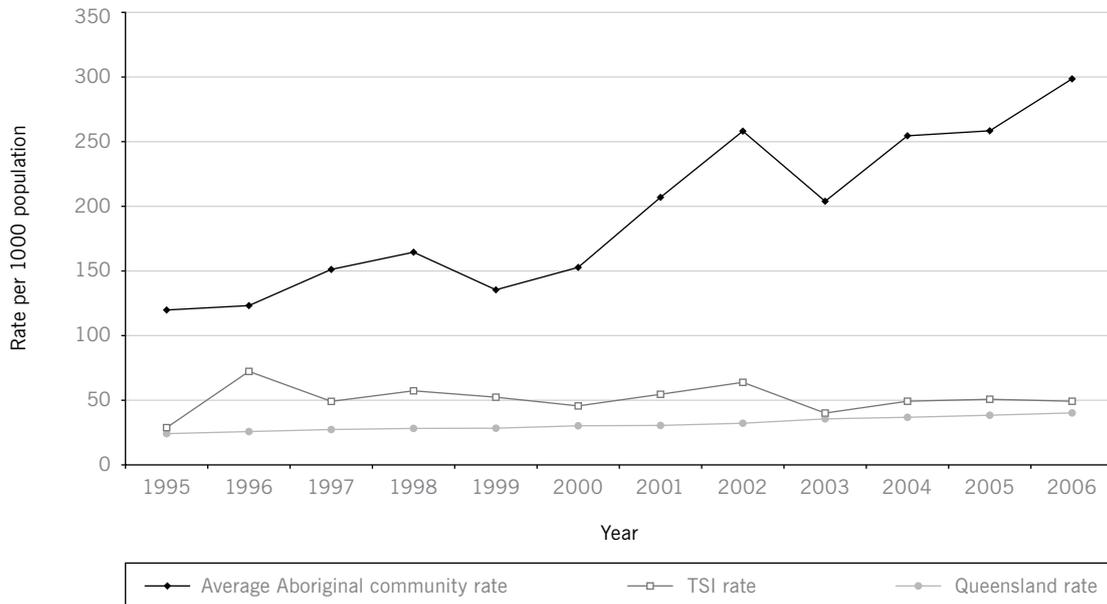
Figure 8: Offences against property — average annual offence rates per 1000 population for Queensland’s Aboriginal and Torres Strait Islands communities and across Queensland (1995–2006)



Source: QPS crime report data, 2007.

See the notes to Figure 4.1 in Chapter 4 for an explanation of which communities are included in the data shown in this figure.

Figure 9: 'Other' offences — average annual offence rates per 1000 population for Queensland's Aboriginal and Torres Strait Islands communities and across Queensland (1995–2006)



Source: QPS crime report data, 2007.

See the notes to Figure 4.1 in Chapter 4 for an explanation of which communities are included in the data shown in this figure.

Figures 7, 8 and 9 show that:

In terms of offences against the person:

- Over time, there has been a marked and consistently higher rate of offences against the person in Aboriginal communities (almost 14 times higher than the state rate, on average) than in the Torres Strait Islands (just over four times the state rate, on average).
- There was a notable peak in the average rates of offences against the person in 2001 in both the Aboriginal and Torres Strait Islands, which was not reflected in the state rate. The rate for Aboriginal communities also shows a smaller peak in 2004. This variability probably arises from the relatively small numbers of offences in Indigenous communities when compared with the rest of the state.

In terms of property offending:

- As with offences against the person, over time there has been a marked and consistently higher rate of property offences in the Aboriginal communities than across the state. The same pattern is not reflected in the average rates for the Torres Strait Islands which, over time, fluctuate both above and below the state average.
- The average rate of property offending in Aboriginal communities overall is 1.7 times the statewide average, whereas the rate for the Torres Strait Islands is roughly the same as the state rate (at 0.93 times the state average).

In terms of 'other' offences:

- Over time, there has been a marked increase in 'other' offences in Aboriginal communities, especially between 1999 and 2002 and again between mid 2003 and 2006; these increases are not reflected in either the Torres Strait Island or state rates shown in the figure.⁴⁰²
- Overall, there is a higher average rate of 'other' offences in Aboriginal communities (8.7 times higher than the state rate) than in the Torres Strait Islands (1.7 times the state rate).

402 As we stated in Chapter 4, although it may not be readily apparent from Figure 4.5 (because of differences of scale and the fact that the Queensland-wide increase is not as dramatic as it has been in Queensland's Aboriginal communities), it should be noted that the statewide rates of 'other' offences have showed steady growth over time. These increases in 'other' offences across Queensland are driven by good order offences but also by an increase in drug and traffic offences (see QPS 2004, 2005a, 2006a, 2007a, 2008a).

Table 4: Absolute change from the previous year in the rate per 1000 population of all 'other', good order and liquor offences 2002 to 2006

	Queensland	Aurukun	Cherbourg	Doomadgee	Kowanyama	Lockhart River	Mornington Island	NPA	Palm Island	Pornpuraaw	Torres Strait	Woorabinda	Yarrabah
2002 to 2003	3.37	-29.15	26.11	-57.21	-282.08	-134.91	-77.08	-24.01	8.30	104.76	-23.77	-29.28	-102.41
	0.46	-36.85	16.96	4.69	-287.02	-39.43	-91.12	-6.31	7.56	57.14	-1.45	-0.25	-49.44
	0.24	33.38	—	5.27	42.39	-3.74	-49.49	-0.46	0.79	17.98	0.08	—	-0.01
2003 to 2004	1.23	155.29	59.22	-21.69	-15.94	-6.25	85.45	3.96	-27.31	192.91	9.16	84.85	46.87
	0.51	17.96	25.86	-50.04	-40.48	-0.24	38.55	0.81	-9.67	26.77	5.60	-12.09	4.51
	0.17	61.88	—	-3.03	50.25	45.20	66.74	3.74	0.86	66.53	0.13	89.23	10.31
2004 to 2005	1.59	24.52	163.97	4.16	33.12	-48.26	65.47	10.02	84.10	-237.72	1.52	-35.87	-21.05
	0.12	64.74	23.19	4.61	46.74	-2.53	19.31	3.75	21.87	-74.48	-6.29	9.07	-3.44
	0.14	-20.52	16.89	-2.50	-5.93	-29.07	-11.16	2.03	1.68	-69.73	-0.71	-36.11	-2.15
2005 to 2006	1.80	22.34	106.88	-64.65	12.09	18.74	82.97	25.13	72.50	94.01	-1.54	76.05	-4.13
	1.44	23.72	45.13	-12.96	13.26	31.31	55.78	11.04	59.40	81.04	3.48	87.19	8.21
	0.39	-23.26	6.14	9.77	-21.84	2.85	7.1	-1.77	10.75	6.38	1.33	9.79	-3.00

Source: QPS crime report data, 2007.

APPENDIX 5: QPS sworn officer numbers

Police officer numbers in Queensland Indigenous communities

Location (QPS region and division)	Allocated number of QPS officer positions before extra allocations announced June 2007	Proposed future strength with extra allocations announced June 2007	Allocated number of QPS officers as at 9 July 2009	Actual number of QPS officers as at 9 July 2009
Far Northern Region				
Aurukun	6	10	10	7
Bamaga	6	10	6*	5
Hope Vale	2	4	4	4
Horn Island	2	2	2	2
Kowanyama	8	10	9 [†]	7
Lockhart River	2	4	4	2
Pormpuraaw	2	4	4	3
Thursday Island	17	17	17	14
Yarrabah	8	10	10	8
Wujal Wujal	0	2	2	2
Northern Region				
Mornington Island	6	10	8	10
Palm Island	16	16	16	16
Doomadgee	9	10	10	9
Central Region				
Woorabinda	5	10	10	10
North Coast Region				
Cherbourg	4	7	7	6
Total	93	126	119	105

* The QPS indicates that the allocation of officers cannot be increased as announced until residential infrastructure for 4 positions is in place.

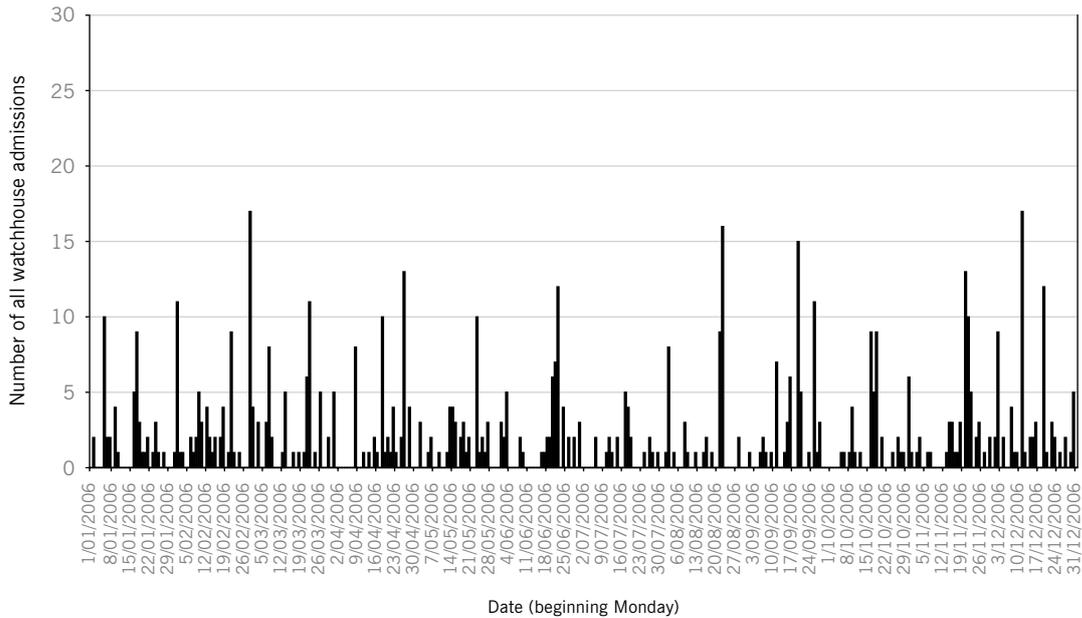
† The QPS indicates that the allocation of officers cannot be increased as announced until residential infrastructure for 1 position is in place.

It should be noted that police from Weipa station (12 allocated positions) provide policing services to the nearby communities of Napranum and Mapoon. Cherbourg police are assisted by police at nearby Murgon station (22 allocated positions).

APPENDIX 6: Watch-house data

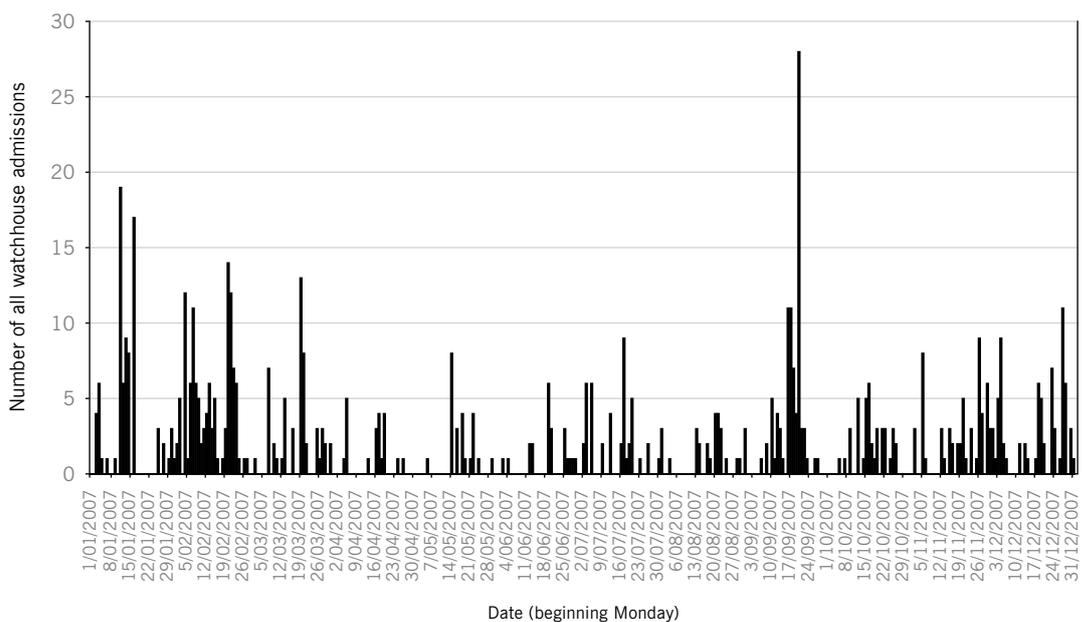
Further watch-house data

Figure 1: Daily admissions to Aurukun watch-house, 2006



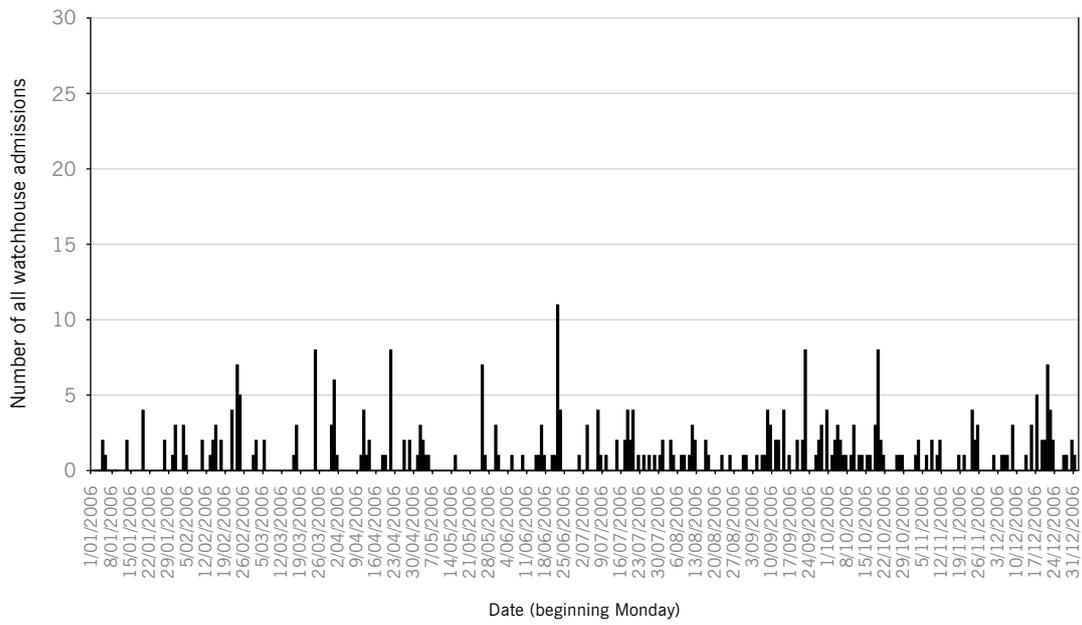
Source: QPS watch-house custody registers.

Figure 2: Daily admissions to Aurukun watch-house, 2007



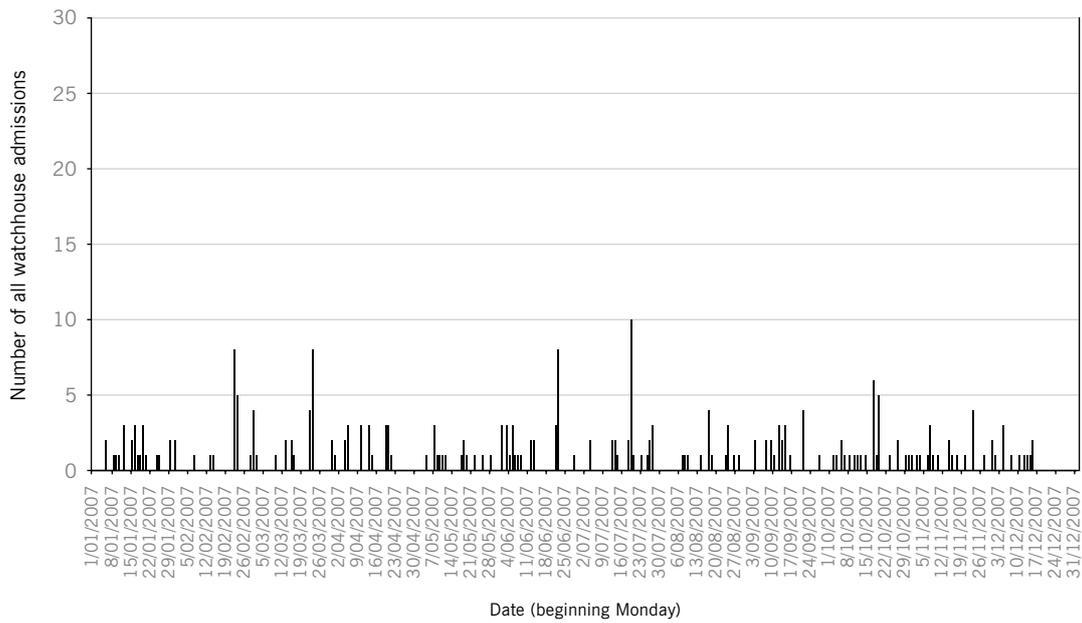
Source: QPS watch-house custody registers.

Figure 3: Daily admissions to Kowanyama watch-house, 2006



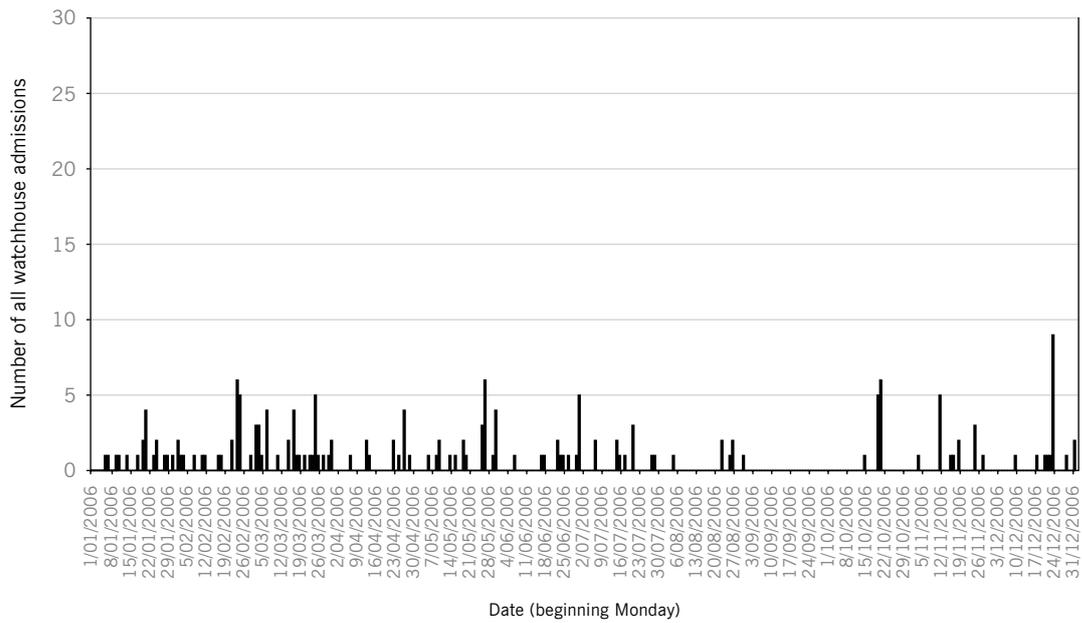
Source: QPS watch-house custody registers.

Figure 4: Daily admissions to Kowanyama watch-house, 2007



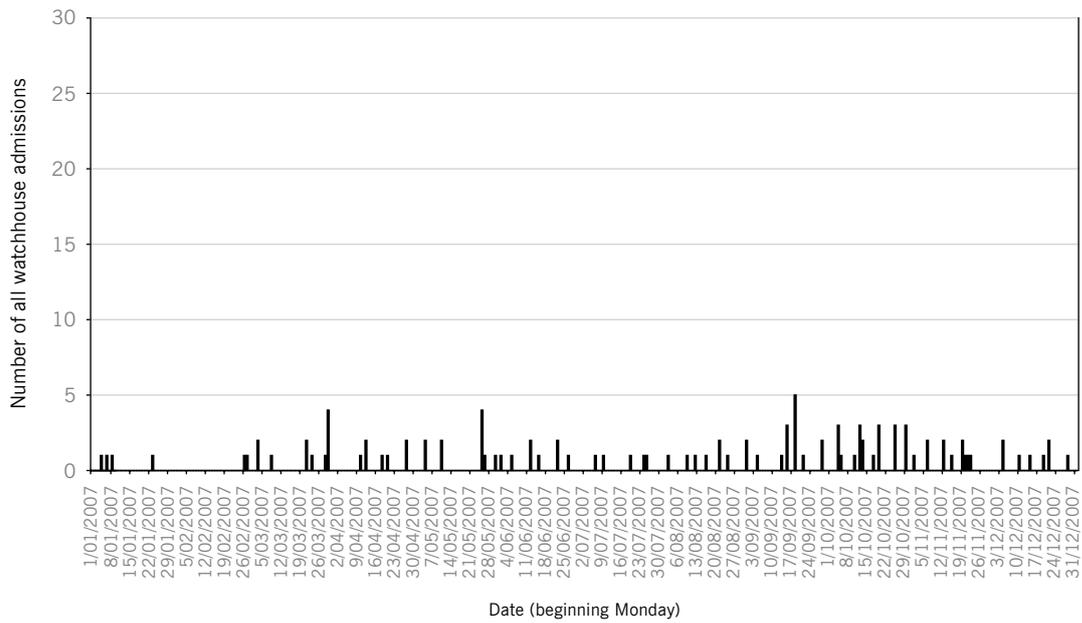
Source: QPS watch-house custody registers.

Figure 5: Daily admissions to Pompokuraaw watch-house, 2006



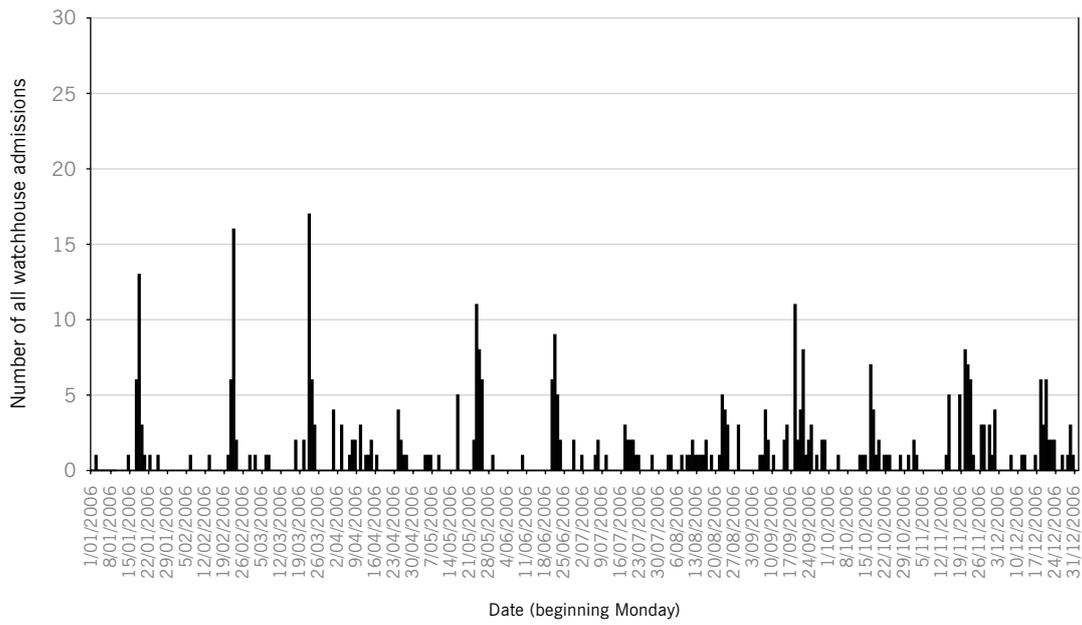
Source: QPS watch-house custody registers.

Figure 6: Daily admissions to Pompokuraaw watch house, 2007



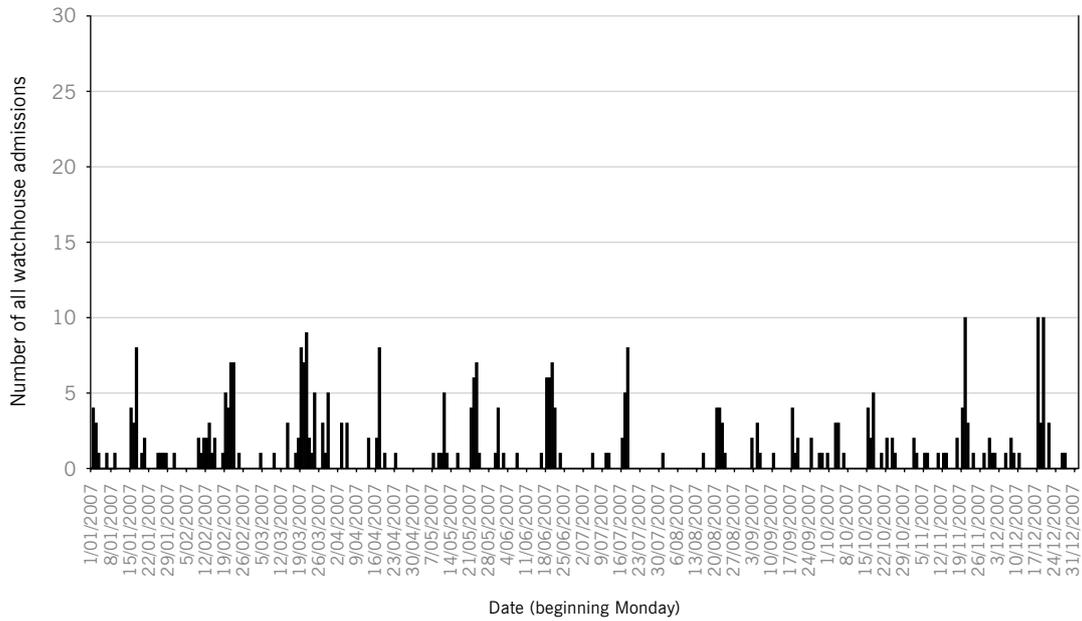
Source: QPS watch-house custody registers.

Figure 7: Daily admissions to Weipa watch-house, 2006



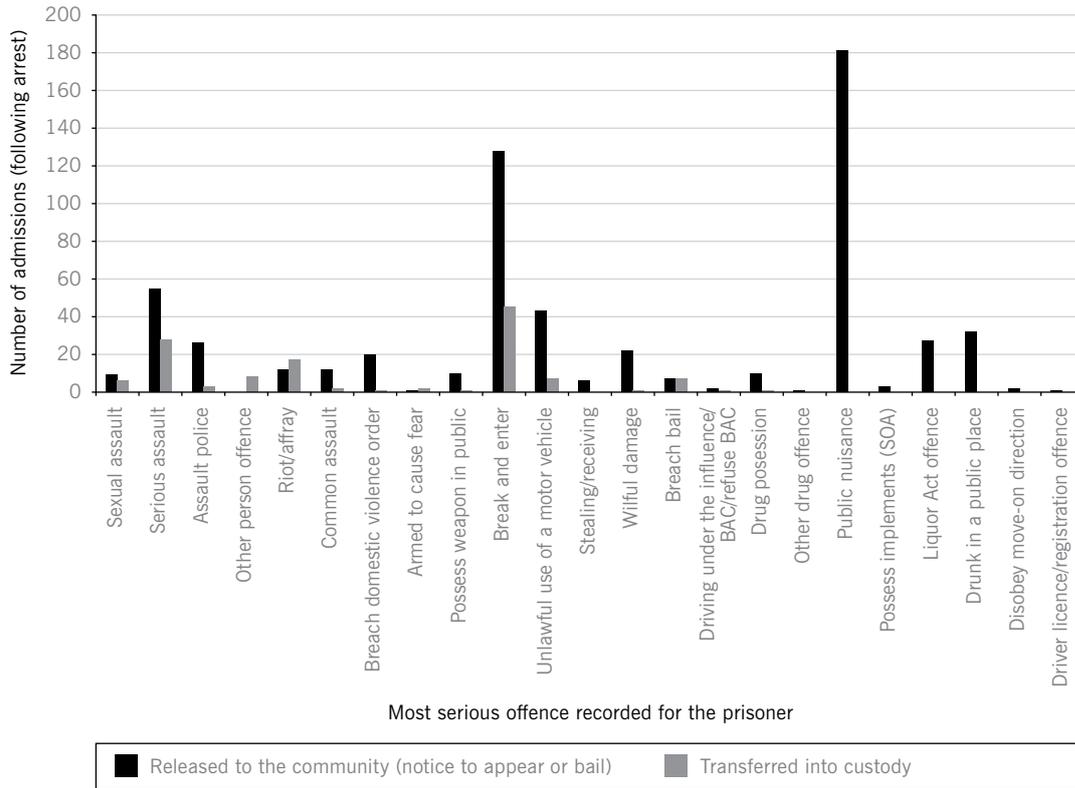
Source: QPS watch-house custody registers.

Figure 8: Daily admissions to Weipa watch-house, 2007



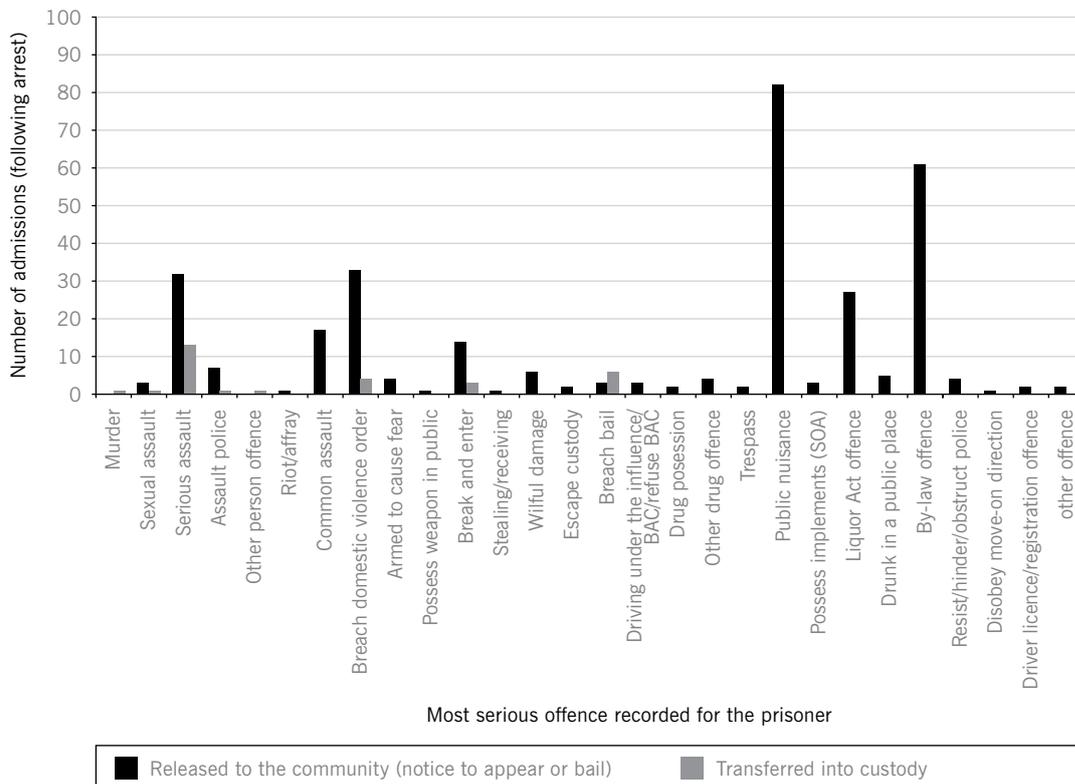
Source: QPS watch-house custody registers.

Figure 9: Reason for admission and method of release, Aurukun watch-house, 2006 and 2007



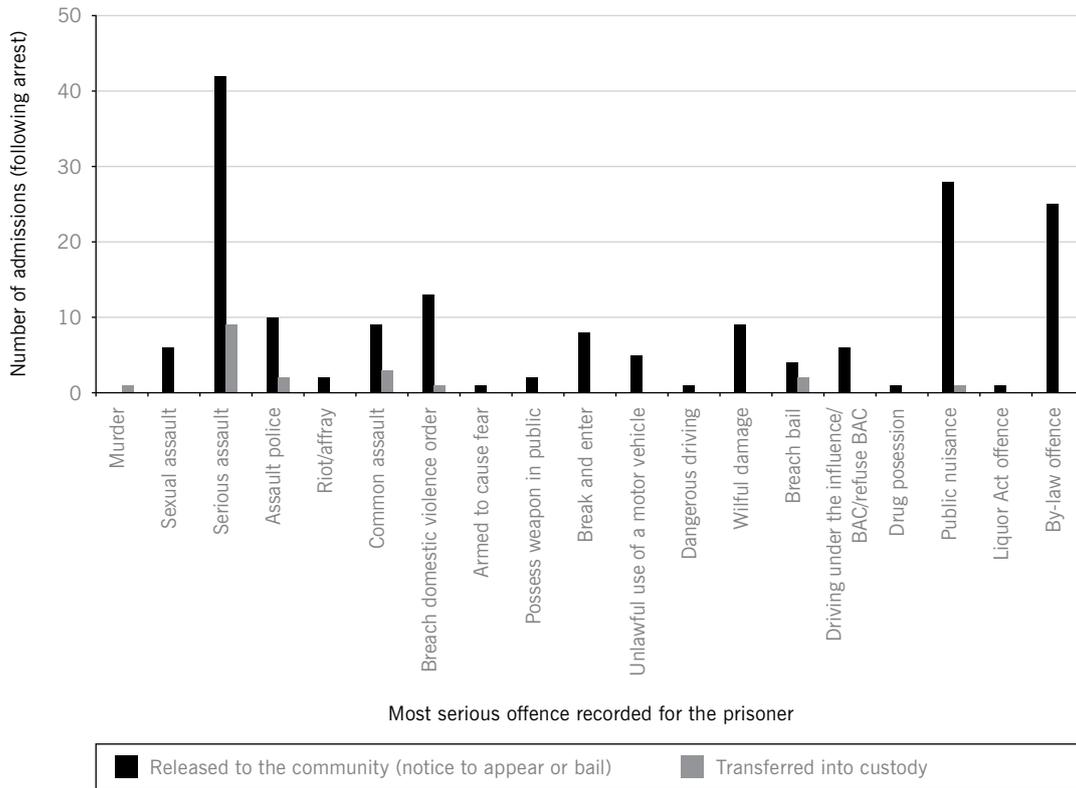
Source: QPS watch-house custody registers.

Figure 10: Reason for admission and method of release, Kowanyama watch-house, 2006 and 2007



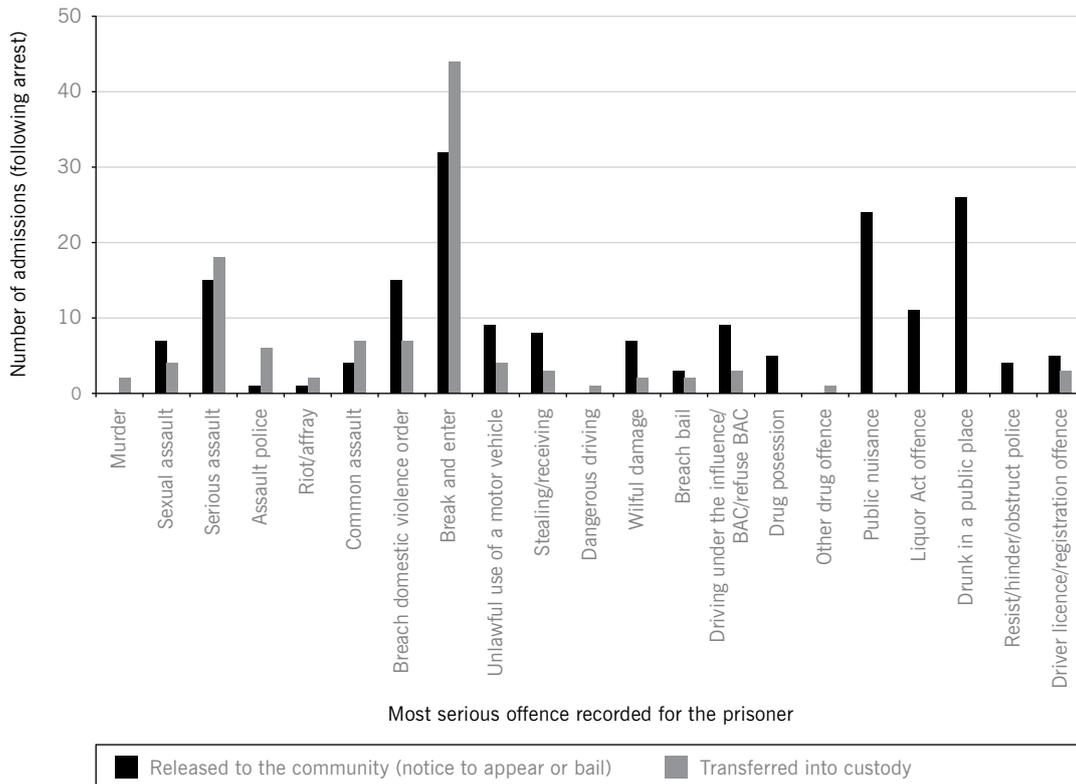
Source: QPS watch-house custody registers.

Figure 11: Reason for admission and method of release, Pormpuraaw watch-house, 2006 and 2007



Source: QPS watch-house custody registers.

Figure 12: Reason for admission and method of release, Weipa watch-house, 2006 and 2007



Source: QPS watch-house custody registers.

Note to Figures 9–12: Only admissions following arrest in the community (with or without warrant) are included in these graphs, as in these cases decisions to give bail or remand in custody are made by the police (though the police may seek advice from a magistrate about bail and remand decisions). That is, admissions from custody elsewhere (prison, youth detention, another watch-house) are not included, as these prisoners are typically arriving for a court appearance and so the court, not police, will make the decision to release or continue to detain the prisoner. Some other admissions are also not included in the graphs, in those instances where police do not have any discretion about the method of release of a person from the watch-house and are unable to release the prisoner to the community. These are (a) where the most serious offence was a breach of probation or parole (i.e. the offender was arrested on a warrant after breach of their probation order or suspension or cancellation of their parole), as all such offenders must be returned to prison by police (s. 206 of the Corrective Services Act 2006); and (b) where prisoners were released from the watch-house for a court appearance and so the court then determines if they are to continue to be detained or be released.⁴⁰³

⁴⁰³ Police are not required to note in the custody register when a prisoner is going to court but they sometimes did so. When we recorded the method of release of watch-house prisoners we used the category 'Released to community (other)'. Where the register did not show bail information, the notation 'notice to appear' or a transfer out of the watch-house to custody elsewhere, it is likely that the prisoner had been released directly to a court appearance.