

# **Northern Territory Aboriginal Justice Agreement 2019-2025**

**Draft Agreement For Consultation**

DEPARTMENT OF  
THE ATTORNEY-GENERAL AND JUSTICE





# About the artworks



We gratefully acknowledge the students at St Mary's Catholic Primary School in Darwin who have supplied this artwork for use in documents associated with the NT Aboriginal Justice Agreement.

**The Sea of Change** by students Tilly (Year 4) and Mia (Year 1).

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

*The blue colour is the sea, a metaphor for the undercurrent of change. The smaller circles illustrate people who are already waiting alongside the edge of the sea who can join up with the people who are already there who are depicted as the bigger circles.*

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

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



We gratefully acknowledge the students at Sadadeen Primary School in Alice Springs who have supplied this artwork for use in documents associated with the NT Aboriginal Justice Agreement.

**The Desert Painting** by students Letrell (Year 5), Shanti (Year 6) and Alayna (Year 4).

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

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

*The future is bright, just like the desert after rain. We used the desert colours because we live in a hot desert, where new life happens after the rain.*

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

# Draft Agreement – for consultation

This document outlines a proposed Aboriginal Justice Agreement for the Northern Territory (also referred to as the Agreement or the NT Aboriginal Justice Agreement).

The Northern Territory Government has released this draft to seek input from Territorians before finalising the content of the Agreement.

This draft Agreement was developed following an extensive consultation process over two years.

In 2017 and 2018, the Aboriginal Justice Unit from the Department of the Attorney-General and Justice visited 80 Aboriginal communities and organisations, and undertook 120 consultations seeking views on justice issues facing Aboriginal Territorians and how those issues should be addressed. The Agreement is underpinned by research, evidence and the views and experiences of Aboriginal people.

This draft Agreement should be read in conjunction with **Pathways to the Northern Territory Aboriginal Justice Agreement**, which provides the context, background and rationale for the Agreement.

We are seeking submissions on the draft Agreement until 31 March 2020. Details on how to make a submission or comment are provided on page 34.

Aboriginal Territorians and organisations who are interested in signing the final Agreement should contact the Aboriginal Justice Unit whose contact details are outlined on page 35.

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

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









## Acknowledgements

The Northern Territory Government acknowledges Aboriginal people as the first peoples of the Northern Territory and the traditional owners and custodians of the land and waters. The NT Government acknowledges and respects Aboriginal Elders, past and present, and supports emerging leaders across the Northern Territory.

The NT Government acknowledges the contribution that Aboriginal people, government agencies and non-government organisations have made in developing this draft Agreement.

The NT Government appreciates the level of honesty and integrity of all those involved in the development of this draft, and their willingness to work in partnership to achieve the aims of the NT Aboriginal Justice Agreement.

Together we are making the Territory safer and fairer for all Territorians.





The Northern Territory Government and Aboriginal Territorians agree to work in partnership to deliver the key outcomes of the Northern Territory Aboriginal Justice Agreement.

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

The Agreement is built on strong leadership and shared commitment from Aboriginal communities and the Northern Territory Government.

Together, we can do more to keep people out of prison. We can reduce offending and reoffending, and provide alternatives to address the underlying causes of crime.







Together, we can do more to keep our families safe and make our communities stronger.

Together, we can improve justice services so that Aboriginal people who have contact with the justice system – as victims, offenders, witnesses, or professionals – are treated fairly, respectfully and without discrimination.

The Agreement marks a turning point in the way justice services are delivered in the Territory and the way Aboriginal leaders and Government will work together to improve justice outcomes.





## Statement of Commitment

The signatories to this Agreement commit as partners to achieve the aims of the NT Aboriginal Justice Agreement. We agree to be held accountable for the responsibilities contained within the Agreement.

## Vision

The signatories have a shared vision:

For Aboriginal Territorians to live safe, fulfilling lives and be treated fairly, respectfully and without discrimination, and for Aboriginal offenders to have the opportunity to end their offending.

## Aims

Over the seven years of the Agreement, in two stages, we aim to:

- reduce reoffending and imprisonment rates of Aboriginal Territorians
- engage and support Aboriginal leadership
- improve justice responses and services to Aboriginal Territorians.

The proposed strategies, actions and outcomes under each aim are provided from page 10 and in the table commencing on page 22.

The proposed governance, monitoring and evaluation processes for this Agreement are outlined on pages 14-17.





## Guiding principles

In working towards the successful implementation of the Agreement, the signatories will work in partnership and be guided by the following principles:

1. Establish respectful and collaborative relationships and form a partnership built on mutual trust between government, Aboriginal communities and individuals.
2. Uphold the highest standards of honesty, integrity, transparency and accountability when working together.
3. Respect the diversity of Aboriginal people and communities across the Northern Territory, accepting that each has unique needs, histories and strengths that must be considered in the design and delivery of strategies, policies and services.
4. Adhere to the highest standards of cultural competence and best practice including accepting and respecting Aboriginal knowledge and the enduring connection of Aboriginal Territorians to country, culture, kinship and language.
5. Respect and honour the strength of Aboriginal Territorians and communities, and actively discourage bias and the use of deficit labelling.
6. Value and promote Aboriginal leadership and autonomy recognising that this will lead to greater and more meaningful change.
7. Ensure that Aboriginal Territorians have the same rights and opportunities as other Territorians.
8. Eliminate unfair treatment including conscious and unconscious bias.

## Status of the Agreement

The signatories acknowledge that the provisions of the Agreement are not legally enforceable. This does not lessen the commitment of the parties to fully implement the Agreement in a manner that is constructive, transparent, and collaborative in accordance with these principles.



# The strategies

## Aim One:

### Reduce reoffending and imprisonment rates of Aboriginal Territorians

#### 1. Establish an alternative to custody model

Community-operated residential facilities based on cultural values and leadership will be developed and implemented in two locations in the Northern Territory.

These will be on-country facilities that provide the courts and community with an alternative option to a term of imprisonment for eligible Aboriginal offenders and those identified as at risk of offending or reoffending. Clients will have access to tailored rehabilitation services that target offending behaviours.

#### 2. Expand community-based, Aboriginal-led early intervention and youth diversion programs

Early intervention and diversion programs for young people will be expanded across the Northern Territory and new programs will be developed.

#### 3. Review and reform relevant provisions in the *Bail Act*

The *Bail Act 1982* (NT) will be reviewed and reformed to promote equitable and culturally responsive decision-making processes. This will involve participation from Aboriginal leaders and community members to ensure that relevant background and cultural information is provided to bail decision-makers. Gaps in culturally appropriate bail support services and programs will be identified and addressed.

#### 4. Review and reform relevant provisions in the *Sentencing Act*

The *Sentencing Act 1995* (NT) will be reviewed and reformed to promote culturally responsive sentencing practices. This will include the provision and consideration of relevant background and cultural information.





## 5. Review and reform relevant provisions in the *Parole Act*

The *Parole Act 1971* (NT) will be reviewed and reformed. Barriers to Aboriginal Territorians accessing parole will be identified and addressed, and more post-release services will be available to assist Aboriginal Territorians to comply with parole orders.

## 6. Reintroduce community courts

A model for community courts will be developed and implemented in communities where Law and Justice Groups are established under the NT Aboriginal Justice Agreement. Community courts will enable Elders and respected community leaders to assist judges to determine the most appropriate sentence for an offender.

## 7. Expand community-based sentencing options

The availability of community-based sentencing options will be increased, especially for offenders in remote communities. This will allow flexibility in the sentencing structure and the imposition of conditions to reduce offending and reoffending.

## 8. Expand non-financial options for the payment of fines

Non-financial options will be expanded to allow Aboriginal Territorians to resolve outstanding fines, including arrangements to work to pay fines.

## 9. Further develop correctional services therapeutic programs

Prison programs will be reviewed and new programs will be developed to reduce reoffending. Programs will address the underlying drivers of offending behaviours and prepare prisoners for release.

## 10. Strengthen tailored and targeted case management for offenders

The case management strategy for Aboriginal offenders will be strengthened, to improve coordinated access to employment, and therapeutic and trauma-informed services.

## 11. Expand prison and diversion programs for Aboriginal women

Prison and diversion programs will be reviewed, redesigned and expanded to address the needs of Aboriginal women in contact with the justice system, including women on remand and those serving short sentences.



## Aim Two: Engage and support Aboriginal leadership

### 12. Establish and support Law and Justice Groups

Law and Justice Groups will be established in the Northern Territory to provide a platform for Aboriginal leaders and community members to address local justice issues.

Law and Justice Groups will be supported in five communities, with further groups being considered in Stage Two of the Agreement. Law and Justice Groups will be community-driven and support greater autonomy in Aboriginal communities, enabling Aboriginal leaders to put in place local strategies to address offending behaviours, and support positive values and role models. Law and Justice Groups will provide critical input to reform the justice system.

### 13. Increase appointments of Aboriginal Justices of the Peace and Commissioners for Oaths

Increase the number of Aboriginal Territorians appointed as Justices of the Peace and Commissioners for Oaths to promote and support Aboriginal leadership in the Northern Territory.

### 14. Support Aboriginal cultural authority and leadership

The Northern Territory Government recognises that respecting and strengthening cultural authority and values is critical to reduce offending, reoffending and the over-representation of Aboriginal people before the courts and in prison.

Aboriginal people will be encouraged to continue to strengthen cultural authority. Supporting cultural authority, leadership, values and practices will improve community safety and reduce offending and reoffending.





## **Aim Three:**

### **Improve justice responses and services to Aboriginal Territorians**

#### **15. Continue to implement a specialist court response to domestic and family violence**

Court responses to domestic and family violence will be improved by adopting specialist, therapeutic and trauma-informed approaches, including access to early assessment and tailored, culturally competent services.

#### **16. Redesign key service delivery models**

Key service delivery models will be reviewed and redesigned to build effective and accessible services that meet the needs of Aboriginal Territorians. This review process will focus on programs and services that address parenting, respectful relationships, substance misuse, trauma (including intergenerational trauma), grief and mental health.

#### **17. Improve cultural competence in service delivery**

Service delivery models will be reviewed and redesigned to ensure services affecting justice outcomes are delivered in a culturally competent manner. This requires the identification and elimination of barriers to Aboriginal Territorians accessing and navigating justice related services. It also requires an approach that addresses the complex intergenerational trauma experienced by many Aboriginal Territorians.

#### **18. Improve communication about the justice system**

The Northern Territory Government will develop a media and communication plan in collaboration with Aboriginal Territorians and Law and Justice Groups to provide information about the justice system and the reforms under the Agreement in an effective, accessible and culturally competent manner.

#### **19. Increase accessibility and uptake of complaint processes**

Complaint mechanisms will be reviewed, and communication plans developed and implemented, to ensure Aboriginal Territorians who are treated unfairly are able to access existing complaint mechanisms.

#### **20. Introduce Aboriginal Impact Statements for cabinet submissions**

Aboriginal Impact Statements will be produced for all cabinet submissions, detailing the likely impact of decisions on Aboriginal Territorians.



## Governance, monitoring and evaluation

### 21. Establish strong governance structures for the NT Aboriginal Justice Agreement

Establish and maintain governance structures necessary for the effective implementation of the Agreement.

### 22. Collect and analyse data

Data collection and analysis will be improved to increase the integrity and accuracy of data to inform decisions that affect Aboriginal Territorians. Data collection will be central to the monitoring and evaluation of the Agreement.

### 23. Strengthen partnerships

Governance processes will be established and strengthened to ensure productive, ongoing partnerships between government agencies, non-government service providers and Aboriginal Territorians.





## Framework of the Agreement

The NT Aboriginal Justice Agreement 2019-2025 will operate within a framework of related documents:

- **The NT Aboriginal Justice Agreement** outlines how the signatories will work together to improve justice outcomes for Aboriginal Territorians. It identifies key strategies, actions and outcomes.
- **The Pathways to the NT Aboriginal Justice Agreement** provides the context, background and rationale for the strategies outlined in the Agreement.
- **The NT Aboriginal Justice Agreement Implementation Plan** will be developed in consultation with Aboriginal Territorians, the NT Aboriginal Justice Agreement Governance Committee and relevant government agencies. It will allocate detailed responsibilities and timeframes to specific agencies and parties to the Agreement, and establish clear performance indicators.
- **Local Action Plans** will be developed by each Law and Justice Group. These plans will identify local issues and include practical, place-based measures supported by evidence.

*Figure 1: Northern Territory Aboriginal Justice Agreement Governance Framework*

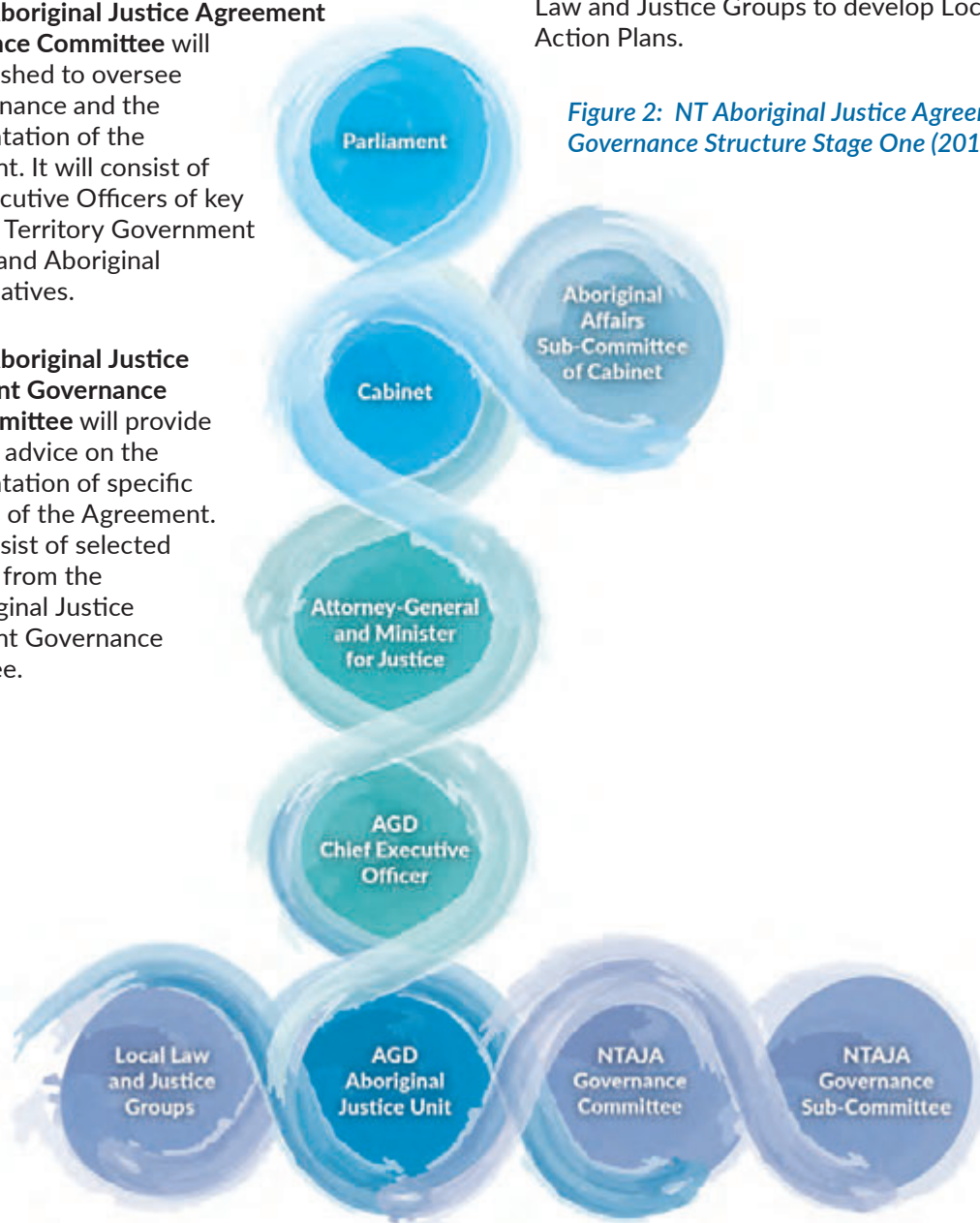


# Governance structure in Stage One (2019-2021)

The key governance arrangements for the NT Aboriginal Justice Agreement and its core functions include:

- **The Attorney-General and Minister for Justice** will oversee the implementation of the Agreement and table an annual progress report in Parliament.
- **The Aboriginal Affairs Sub-Committee of Cabinet** will provide high level advice regarding the Northern Territory Government's strategic priorities, significant policy initiatives and any legislative reforms related to the Agreement.
- **The NT Aboriginal Justice Agreement Governance Committee** will be established to oversee the governance and the implementation of the Agreement. It will consist of Chief Executive Officers of key Northern Territory Government agencies and Aboriginal representatives.
- **The NT Aboriginal Justice Agreement Governance Sub-Committee** will provide high level advice on the implementation of specific initiatives of the Agreement. It will consist of selected members from the NT Aboriginal Justice Agreement Governance Committee.
- **Law and Justice Groups** will be established to promote Aboriginal leadership and decision-making and to create change at the local level. Law and Justice Groups will be resourced and supported to develop and implement Local Action Plans.
- **The AGD Aboriginal Justice Unit** will provide administrative, secretariat and project support roles for the NT Aboriginal Justice Agreement Governance Committee and Sub-Committee. The AJU will develop an implementation plan for the Agreement, coordinate the monitoring and evaluation of the Agreement and convene an annual justice forum. The AJU will support Law and Justice Groups to develop Local Action Plans.

*Figure 2: NT Aboriginal Justice Agreement Governance Structure Stage One (2019-2021)*





# Governance structure in Stage Two (2022-2025)

During Stage Two of the Agreement, the partnership and governance structure will be reviewed and strengthened.

An Aboriginal Social Justice Commissioner for the Northern Territory will be appointed to have independent oversight of the Agreement. The Commissioner's responsibilities will include reviewing policies and initiatives introduced under Stage One of the Agreement, advocating for the rights and interests of Aboriginal Territorians, receiving complaints and submissions from Aboriginal Territorians, and liaising with existing organisations, including the Northern Territory Anti-Discrimination Commission and human rights bodies.

*Figure 3: NT Aboriginal Justice Agreement Governance Structure Stage Two (2022-2025)*









## Statement of acknowledgement

Signatories to the NT Aboriginal Justice Agreement acknowledge that:

- There is widespread support for the Agreement among Aboriginal Territorians, non-Aboriginal Territorians, non-government organisations and the Northern Territory Government.
- All Territorians have the right to live safe, fulfilling lives and to be treated fairly, respectfully and without discrimination.
- An individual's relationship with the justice system is influenced by experiences and events well before a person's first contact with the law. Any improvement to justice outcomes will require a whole-of-government and a whole-of-Territory response, with support from the private and public sectors.
- This Agreement has been informed by evidence, statistical data and consultations. It is essential to maintain an evidence-based approach to ensure progress is made towards the aims of the Agreement.

# Signatories to the Northern Territory Aboriginal Justice Agreement

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# Signatories to the Northern Territory Aboriginal Justice Agreement

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# Proposed strategies, actions and outcomes

## Aim One: Reduce reoffending and imprisonment rates of Aboriginal Territorians

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>1. Establish an alternative to custody model</b>  Community-operated residential facilities based on cultural values and leadership will be developed and implemented in two locations in the Northern Territory. These will be on-country facilities that provide the courts and community with an alternative option to a term of imprisonment for eligible Aboriginal offenders and those identified as at risk of offending or reoffending. Clients will have access to tailored rehabilitation services that target offending behaviours.	1.1 Establish community-operated facilities in two locations.	NT Government	A reduction in the incarceration and recidivism rates of Aboriginal clients attending the facilities.
	1.2 Provide offenders with access to targeted, tailored rehabilitation programs that address risk factors for offending behaviours. This includes access to programs for family members, mentors and support persons.	NT Government	
	1.3 Support the establishment of these facilities, and provide input and leadership into the development of culturally competent rehabilitation programs.	Aboriginal Territorians	
<b>2. Expand community-based, Aboriginal-led early intervention and youth diversion programs</b>  Early intervention and diversion programs for young people will be expanded across the Northern Territory and new programs will be developed.	2.1 Develop and deliver therapeutic, rehabilitative and culturally competent early intervention and diversionary programs for Aboriginal youth across the Northern Territory.	NT Government	An increase in the diversion of Aboriginal youth from the criminal justice system.
	2.2 Support Aboriginal youth to engage in early intervention and diversionary programs.	Aboriginal Territorians	
<b>3. Review and reform relevant provisions in the <i>Bail Act</i></b>  The <i>Bail Act 1982</i> (NT) will be reviewed and reformed to promote equitable and culturally responsive decision-making processes. This will involve participation from Aboriginal leaders and community members to ensure that relevant background and cultural information is provided to bail decision-makers.	3.1 Review the presumptions against bail in the <i>Bail Act 1982</i> (NT) to evaluate the effect of these provisions on Aboriginal Territorians, and remedy any disproportionate impacts.	NT Government	An increase in Aboriginal Territorians granted bail.  An increase in Aboriginal Territorians successfully complying with bail conditions.  A decrease in breaches of bail.



STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
Gaps in culturally appropriate bail support services and programs will be identified and addressed.	3.2 Consider reforming the <i>Bail Act 1982</i> (NT) to introduce a provision requiring a bail authority to take into account contextual factors arising due to a person's Aboriginality in the course of making a bail determination.	NT Government	
	3.3 Develop and implement guidelines and training for bail decision-makers in the application of any amendments to the <i>Bail Act 1982</i> (NT).	NT Government	
	3.4 Develop and implement a model to provide relevant background and cultural information for judges to consider in bail applications for Aboriginal defendants.	NT Government and Aboriginal Territorians	
	3.5 Identify core values and behaviours that Aboriginal Territorians want restored, supported and demonstrated in communities, through the application of bail conditions.	Aboriginal Territorians	
	3.6 Develop and expand culturally appropriate bail support services to assist Aboriginal Territorians to comply with bail conditions, and to reduce the large number of alleged offenders who are held on remand.	NT Government	
<b>4. Review and reform relevant provisions in the <i>Sentencing Act</i></b>  The <i>Sentencing Act 1995</i> (NT) will be reviewed and reformed to promote culturally responsive sentencing practices. This will include the provision and consideration of relevant background and cultural information.	4.1 Reform the <i>Sentencing Act 1995</i> (NT) to introduce a provision requiring courts to take into account the systemic and background factors impacting on an Aboriginal person's offending and reoffending.	NT Government	Sentencing practices are more culturally responsive and take into account the circumstances of Aboriginal offenders.
	4.2 Develop and implement a model to facilitate the preparation of Aboriginal Experience Reports for Aboriginal offenders, whether provided in writing or by less formal means.	NT Government and Aboriginal Territorians and other relevant agencies	
	4.3 Develop a bench book to guide the judiciary to tailor sentences to the circumstances of Aboriginal offenders.	NT Government and Aboriginal Territorians	

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
	This resource will support the introduction of provisions requiring sentencing courts to take into account systemic and background factors of Aboriginal offenders.		
	4.4 Develop a handbook for legal practitioners and the judiciary to inform parties on available support programs across the Northern Territory, including their location, duration and eligibility criteria.	NT Government and Aboriginal Territorians	
	4.5 Consider and respond to the findings of the Review of the <i>Sentencing Amendment (Mandatory Minimum Sentences) Act 2013</i> (NT) which introduced the latest regime of mandatory sentencing for violent offenders.	NT Government	
<b>5. Review and reform relevant provisions in the <i>Parole Act</i></b>  The <i>Parole Act 1971</i> (NT) will be reviewed and reformed. Barriers to Aboriginal Territorians accessing parole will be identified and addressed, and more post-release services will be available to assist Aboriginal Territorians to comply with parole orders.	5.1 Reform the Northern Territory parole regime and its impact on Aboriginal prisoners. This includes: addressing barriers to accessing parole, considering the introduction of court-ordered parole for sentences under three years, and discounting of time served on parole when parole is revoked.	NT Government	An increase in the uptake of parole by Aboriginal Territorians.  An increase in the successful completion of parole orders by Aboriginal Territorians.  An increase in the accessibility of post-release services by Aboriginal people.
	5.2 Engage with Aboriginal Territorians to seek input on the changes required to make parole conditions and programs more culturally appropriate and responsive to the needs of the offender, the victim and the wider community.	NT Government and Aboriginal Territorians	
<b>6. Reintroduce community courts</b>  A model for community courts will be developed and implemented in communities where Law and Justice Groups are established under the NT Aboriginal Justice Agreement.	6.1 Develop a model to deliver community courts, initially in communities where Law and Justice Groups are established under the NT Aboriginal Justice Agreement.	NT Government and Aboriginal Territorians	Court processes are more culturally responsive.



STRATEGY	ACTIONS		RESPONSIBILITY	OUTCOMES
Community courts will enable Elders and respected community leaders to assist judges to determine the most appropriate sentence for an offender.	6.2	Assist in identifying core values and behaviours that Aboriginal Territorians want addressed in communities through the operation of community courts.	Aboriginal Territorians	An increase in Aboriginal peoples' participation and decision-making in the justice system.
<b>7. Expand community-based sentencing options</b>  The availability of community-based sentencing options will be increased, especially for offenders in remote communities. This will allow flexibility in the sentencing structure and the imposition of conditions to reduce offending and reoffending.	7.1	Review, map, and identify barriers to current community-based sentencing options.	NT Government	An increase in Aboriginal offenders serving community-based orders.  A reduction in the rates of imprisonment and re-offending by Aboriginal Territorians.
	7.2	Expand the geographic reach of community-based sentencing options, particularly for offenders residing in remote communities.	NT Government and Aboriginal Territorians	
	7.3	Work with Aboriginal communities and organisations to further develop community-based sentencing options that are culturally safe and responsive to offenders with complex needs.	NT Government and Aboriginal Territorians	
	7.4	Ensure that relevant Aboriginal agencies and organisations are engaged to provide the necessary support to facilitate the successful completion of community-based sentences.	NT Government, Aboriginal agencies and organisations	
<b>8. Expand non-financial options for the payment of fines</b>  Non-financial options will be expanded to allow Aboriginal Territorians to resolve outstanding fines, including arrangements to work to pay fines.	8.1	Develop and implement non-financial options for the payment of fines.	NT Government	Aboriginal Territorians are able to access non-financial options to resolve and pay off outstanding fines.
	8.2	Identify appropriate work available in communities to pay off fines.	Aboriginal Territorians	

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>9. Further develop correctional services therapeutic programs</b>  Prison programs will be reviewed and new programs will be developed to reduce reoffending.  Programs will address the underlying drivers of offending behaviours and prepare prisoners for release.	9.1 Design, develop and deliver trauma-responsive, culturally competent therapeutic programs for Aboriginal prisoners that address the underlying causes of offending and reoffending, including substance misuse, family and domestic violence, and mental health. Programs should be available to Aboriginal prisoners on remand and those serving short sentences.	NT Government	Aboriginal prisoners have access to culturally competent therapeutic programs that address the underlying causes of offending and reoffending.
	9.2 Expand and enhance throughcare programs to assist Aboriginal offenders to reintegrate into the community after imprisonment.	NT Government	Aboriginal prisoners are supported to reintegrate into the community.
	9.3 Co-design a trauma-responsive, culturally competent and family-centric system of prison and diversionary programs specifically targeted at responding to substance misuse and mental health.	NT Government and Aboriginal Territorians	A reduction in the rates of imprisonment and reoffending by Aboriginal Territorians.
<b>10. Strengthen tailored and targeted case management for offenders</b>  The case management strategy for Aboriginal offenders will be strengthened, to improve coordinated access to employment, and therapeutic and trauma-informed services.	10.1 Further develop a tailored and targeted case management model for offenders that is informed by evidence and best practice.	NT Government	Aboriginal offenders have access to culturally competent case management that identifies and addresses the underlying causes of offending and reoffending.
	10.2 Provide input into the development of the case management model.	Aboriginal Territorians	
<b>11. Expand prison and diversion programs for Aboriginal women</b>  Prison and diversion programs will be reviewed, redesigned and expanded to address the needs of Aboriginal women in contact with the justice system, including women on remand and those serving short sentences.	11.1 Review and expand current prison programs for Aboriginal women to include programs that are trauma-responsive, culturally competent and family-centered. Programs will be available to Aboriginal women on remand or those serving short sentences.	NT Government	Aboriginal women in prison have access to programs that address their needs and the underlying causes of offending and reoffending.
	11.2 Co-design trauma-responsive, culturally competent and family-centered programs to address the underlying causes of Aboriginal women's offending and reoffending.	NT Government and Aboriginal Territorians	



## Aim Two: Engage and support Aboriginal leadership

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>12. Establish and support Law and Justice Groups</b>  Law and Justice Groups will be established in the Northern Territory to provide a platform for Aboriginal leaders and community members to address local justice issues. Law and Justice Groups will be supported in five communities, with further groups being considered in Stage Two of the Agreement.  Law and Justice Groups will be community-driven and support greater autonomy in Aboriginal communities, enabling Aboriginal leaders to put in place local strategies to address offending behaviours and support positive values and role models. Law and Justice Groups will provide critical input to reform the justice system.	12.1 Establish and support Law and Justice Groups to promote locally-based justice responses, enhance community safety and allow for community participation in decision-making processes.	NT Government	<b>Stage One (2019-2021):</b> Law and Justice Groups are established in five communities.  <b>Stage Two (2021-2025):</b> Law and Justice Groups are established in additional communities, subject to community interest and aspirations and a review of Stage One.
	12.2 In consultation with Aboriginal communities and organisations, develop criteria for the formation of Law and Justice Groups and the appointment of members.	NT Government	Aboriginal Territorians have greater roles in leadership, governance and decision-making processes.  Local Aboriginal communities are empowered to address local justice issues.
	12.3 Nominate candidates for consideration of appointment to Law and Justice Groups.	Aboriginal Territorians	
<b>13. Increase appointments of Aboriginal Justices of the Peace and Commissioners for Oaths</b>  Increase the number of Aboriginal Territorians appointed as Justices of the Peace and Commissioners for Oaths to promote and support Aboriginal leadership in the Northern Territory.	13.1 Develop a communication plan to outline the roles, responsibilities and benefits of being appointed as a Justice of the Peace and Commissioner for Oaths, and to encourage Aboriginal Territorians to apply for these appointments.	NT Government and Aboriginal Territorians	An increase in the number of Aboriginal Justices of the Peace and Commissioners for Oaths in the Northern Territory.  Aboriginal Territorians participate in and have greater roles in leadership, governance and decision-making processes.

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>14. Support Aboriginal cultural authority and leadership</b>  The Northern Territory Government recognises that respecting and strengthening cultural authority and values is critical to reduce offending, reoffending and the over-representation of Aboriginal people before the courts and in prison.  Aboriginal people will be encouraged to continue to strengthen cultural authority. Supporting cultural authority, leadership, values and practices will improve community safety and reduce offending and reoffending.	14.1 Develop and deliver the support services required to assist Aboriginal Territorians to provide leadership and governance in the justice system.	NT Government	Increased engagement of Aboriginal Territorians in leadership roles.
	14.2 Develop a whole-of-government strategy that aligns with the Local Decision Making framework to ensure the views of Aboriginal Territorians are integrated into government policies.	NT Government	
	14.3 Identify and support emerging leaders, mentors and local role models who display and demonstrate leadership qualities.	NT Government and Aboriginal Territorians	
	14.4 Develop strategies and practical initiatives which encourage all Territorians to reflect on the rich heritage and culture of Aboriginal people in the Northern Territory, with particular emphasis on showcasing local leadership.	NT Government and Aboriginal Territorians	



## Aim Three: Improve justice responses and services to Aboriginal Territorians

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>15. Continue to implement a specialist court response to domestic and family violence</b>  Court responses to domestic and family violence will be improved by adopting specialist, therapeutic and trauma-informed approaches, including access to early assessment and tailored, culturally competent services.	15.1 Continue to establish a specialist approach to domestic violence in the Alice Springs Local Court.	NT Government	Court responses to domestic and family violence across the Northern Territory are trauma-informed and culturally safe.
	15.2 Consider options to increase culturally safe and trauma-informed practices within Northern Territory courts to increase the involvement of Aboriginal people in court processes.	NT Government and Aboriginal Territorians	
	15.3 Provide input into the development of specialist approaches to domestic and family violence.	Aboriginal Territorians	
<b>16. Redesign key service delivery models</b>  Key service delivery models will be reviewed and redesigned to build effective and accessible services that meet the needs of Aboriginal Territorians.  This review process will focus on programs and services that address parenting, respectful relationships, substance misuse, trauma (including intergenerational trauma), grief and mental health.	16.1 Ensure key programs and services targeting Aboriginal Territorians are evidence based, co-designed with communities, culturally competent, and adhere to standards of best practice.	NT Government	Government funded services and programs meet the needs of Aboriginal Territorians.  Improved uptake and navigation of government funded services that impact on justice outcomes for Aboriginal Territorians.  Improved local decision-making opportunities for Aboriginal Territorians.
	16.2 Ensure interpreters are engaged where required when delivering programs and services to Aboriginal Territorians.	NT Government	
	16.3 Seek and consider input from Aboriginal people before making decisions regarding the award or renewal of contracts that affect Aboriginal Territorians.	NT Government and Aboriginal Territorians	
	16.4 Provide feedback to government regarding service delivery, including delivery by government contracted service providers.	Aboriginal Territorians	

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>17. Improve cultural competence in service delivery</b>  Service delivery models will be reviewed and redesigned to ensure services affecting justice outcomes are delivered in a culturally competent manner. This requires the identification and elimination of barriers to Aboriginal Territorians accessing and navigating justice related services. It also requires an approach that addresses the complex intergenerational trauma experienced by many Aboriginal Territorians.	17.1 Ensure that programs delivered by government or government-funded organisations reflect the needs and circumstances of Aboriginal Territorians. This may involve consideration of community-specific social issues, features of language and culture, geographic and demographic characteristics, and the historical impacts of government policies.	NT Government	Government funded services are culturally competent and meet the needs of Aboriginal Territorians.  Increased engagement by Aboriginal Territorians with government and government funded service providers and contracted parties.
	17.2 Co-design and deliver place-based cultural competency training modules for government employees and contracted service providers working with Aboriginal Territorians.	NT Government and Aboriginal Territorians	
	17.3 Co-design strategies to improve the level of cultural competency of justice-related services.	Aboriginal Territorians	
<b>18. Improve communication about the justice system</b>  The Northern Territory Government will develop a media and communication plan in collaboration with Aboriginal Territorians and Law and Justice Groups to provide information about the justice system and the reforms under this Agreement in an effective, accessible and culturally competent manner.	18.1 Co-design and implement communication plans that reflect the needs and strengths of Aboriginal Territorians.  Plans will be developed where Law and Justice Groups are established under the NT Aboriginal Justice Agreement, to identify the most effective communication procedures and protocols.	NT Government and Aboriginal Territorians	Increased uptake by Aboriginal Territorians of government services and government funded services.  Media campaigns are culturally appropriate, relevant and effective for Aboriginal Territorians.
	18.2 Work with Law and Justice Groups to endorse proposed concepts for communication strategies, media campaigns and messaging.	NT Government and Aboriginal Territorians	
	18.3 Provide feedback to government agencies on current, proposed or potential messages and communication campaigns targeting or impacting on Aboriginal Territorians.	Aboriginal Territorians	



STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>19. Increase accessibility and uptake of complaints processes</b>  Complaint mechanisms will be reviewed, and communication plans developed and implemented, to ensure Aboriginal Territorians who are treated unfairly are able to access existing complaint mechanisms.	19.1 Investigate reasons for low complaint uptake and develop and implement plans to ensure government complaint mechanisms are fair, culturally appropriate and accessible to Aboriginal Territorians.	NT Government	Complaint processes are accessible and meet the needs of Aboriginal Territorians.
	19.2 Promote knowledge and understanding of how to initiate and navigate complaint processes to Aboriginal Territorians.	NT Government	
	19.3 Map government complaint mechanisms and collect comprehensive data on usage.	NT Government	
	19.4 Provide government agencies with advice to assist Aboriginal Territorians in accessing complaint mechanisms.	Aboriginal Territorians	
<b>20. Introduce Aboriginal Impact Statements for cabinet submissions</b>  Aboriginal Impact Statements will be produced for all cabinet submissions, detailing the likely impact of decisions on Aboriginal Territorians.	20.1 Require an Aboriginal Impact Statement to accompany all cabinet submissions. These statements will provide evidence-based assessments of the impact of a decision on Aboriginal Territorians and will be the responsibility of the agency making the submission.	NT Government	Increased consideration of the interests of Aboriginal Territorians in government decision-making processes.

# Governance, monitoring and evaluation

STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
<b>21. Establish strong governance structures for the NT Aboriginal Justice Agreement</b>  Establish and maintain the governance structures necessary for the effective implementation of the Agreement.	<b>21.1</b> Establish the NT Aboriginal Justice Agreement Governance Committee and Sub-Committee as the main bodies responsible for overseeing all governance matters relating to the NT Aboriginal Justice Agreement.	NT Government	
	<b>21.2</b> Support the Aboriginal Justice Unit to perform administrative, secretariat and project support roles for all NT Aboriginal Justice Agreement related activities, and co-ordinate the monitoring and evaluation of the Agreement.	NT Government	
	<b>21.3</b> Develop a comprehensive NT Aboriginal Justice Agreement implementation plan that allocates detailed responsibilities and timeframes to agencies and parties to the Agreement.  The implementation plan will contain a monitoring and evaluation framework for the Agreement, including detailed outcomes and performance indicators.	NT Government	
	<b>21.4</b> Develop and implement local action plans where Law and Justice Groups have been established under the NT Aboriginal Justice Agreement. Local action plans will outline place-based, evidence-driven strategies to improve justice outcomes and maintain safe communities.	NT Government and Law and Justice Groups	
	<b>21.5</b> Convene an annual Aboriginal justice forum that will bring together Aboriginal representatives, relevant government agencies and non-government organisations to work together to progress the aims of the NT Aboriginal Justice Agreement.	NT Government	
	<b>21.6</b> Engage an appropriate body to conduct an independent review of the NT Aboriginal Justice Agreement's governance structure after the conclusion of Stage One of the Agreement.  Consider and amend Stage Two of the governance structure based on the review's recommendations.	NT Government	



STRATEGY	ACTIONS	RESPONSIBILITY	OUTCOMES
	21.7 In Stage Two of the Agreement, appoint a NT Aboriginal Social Justice Commissioner to provide independent oversight of the NT Aboriginal Justice Agreement.	NT Government	
	21.8 Provide the wider Northern Territory community with ongoing updates on the progress of the NT Aboriginal Justice Agreement.	NT Government	
<b>22. Collect and analyse data</b>  Data collection and analysis will be improved to increase the integrity and accuracy of data to inform decisions that affect Aboriginal Territorians. Data collection will be central to the monitoring and evaluation of the Agreement.	22.1 Improve and increase the collection of data relating to justice outcomes for Aboriginal Territorians and uptake of government services.	NT Government	More widespread and accurate recording and analysis of data.
	22.2 Engage a statistician to co-design the monitoring and evaluation framework, analyse available data and assess the progress of the NT Aboriginal Justice Agreement strategies against the Agreement's aims.	NT Government	
	22.3 Ensure that, where appropriate, data is shared between NT Government agencies and relevant organisations for the purpose of improving services delivered to Aboriginal Territorians and the monitoring and the evaluation of the Agreement.	NT Government	
	22.4 In cooperation with the Australian Bureau of Statistics, deliver workshops on culturally relevant data collection to government employees and contracted parties.	NT Government	
<b>23. Strengthen partnerships</b>  Governance processes will be established and strengthened to ensure productive, ongoing partnerships between government agencies, non-government service providers and Aboriginal Territorians.	23.1 Establish and maintain governance structures over the timeframe of the Agreement and review the effectiveness of the governance structures at the end of Stage One.	NT Government	Partnerships between government agencies, non-government service providers, contracted parties and Aboriginal Territorians are strengthened.
	23.2 Implement the Agreement in partnership and ensure that Territory-wide and local partnerships are constructive, transparent and collaborative.	NT Government, Aboriginal Territorians and non-government organisations	



# How to make a comment or submission

The Northern Territory Government is seeking comments and submissions on the draft NT Aboriginal Justice Agreement. The closing date for submissions is 31 March 2020.

Anyone, including individuals and organisations, can make a submission.

Send your submission in writing or by video to the Aboriginal Justice Unit by email [agd.aju@nt.gov.au](mailto:agd.aju@nt.gov.au), or by mail to:

**Aboriginal Justice Unit  
Department of the Attorney-General and Justice  
GPO Box 1722  
DARWIN NT 0801**

The Aboriginal Justice Unit can also be contacted by telephone on (08) 8935 7655.

Additional information can be found on our website: [nt.gov.au/aja](http://nt.gov.au/aja)

This document is a draft. It is not a finalised government policy document.

## Submissions in an Aboriginal language

Your submission can be provided in an Aboriginal language spoken in the Northern Territory.

Your submission can be made verbally by phone, or in writing, and we will arrange an interpreter or translator.

## Content of your submission

Your submission can be as long or as short as you like. You can discuss legal or policy issues, or share your personal story or experiences.

## Name and contact details

Please provide your name and contact details with your submission so the Aboriginal Justice Unit can follow up matters that may require a further response. You can also submit anonymously.

## Confidentiality

Your submission may be made public unless you tell us it is confidential.

If you want your submission to be confidential, please:

- clearly state that your submission is confidential
- consider telling your story in a way that does not identify you.

We may decide to publish submissions that do not state they are confidential on the Department of the Attorney-General and Justice website. We may also, at our discretion, decide to edit submissions for privacy, legal or other reasons. Any requests made to us for access to a confidential submission will be decided under the rules in the *Information Act 2002* (NT).



## How to be a signatory to the final Agreement

Aboriginal communities and organisations wishing to sign the final Agreement should make contact with:

**Aboriginal Justice Unit**  
**Department of the Attorney-General and Justice**  
**GPO Box 1722**  
**DARWIN NT 0801**

Email: [agd.aju@nt.gov.au](mailto:agd.aju@nt.gov.au)  
Telephone: (08) 8935 7655.

Additional information can be found on our website: [nt.gov.au/aja](http://nt.gov.au/aja)

## Submit your photos for the final NT Aboriginal Justice Agreement

The Aboriginal Justice Unit is seeking photos that may be relevant for the NT Aboriginal Justice Agreement.

You can send any photos to:  
[agd.aju@nt.gov.au](mailto:agd.aju@nt.gov.au)

Please provide your contact details, so we can confirm your permission to use the photo.

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

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



