



# Whole of Government and community strategy

To address the over-representation of Aboriginal  
and Torres Strait Islander peoples in the  
Queensland criminal justice system

**Background information**  
**September 2023**



**Queensland  
Government**



## Acknowledgement of Country

The First Nations Justice Office acknowledges the Traditional Custodians of the land on which we work and live, and recognise their continuing connection to land, water and community. We pay our respects to their Elders past and present.

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## Message from First Nations Justice Officer



It's an honour to lead the First Nations Justice Office (FNJO) as we start a journey to co-design a whole of government and community strategy (Strategy) to address over-representation of Aboriginal and Torres Strait Islander peoples in the justice system and meet Queensland's Closing the Gap justice targets.

The National Agreement on Closing the Gap is a commitment from all governments and Aboriginal and Torres Strait Islander leaders to improve the lives of Aboriginal and Torres Strait Islander people in areas like health, education, jobs, and justice. For justice, our targets are to have fewer Aboriginal and Torres Strait Islander adults in prison (at least 15% less) and fewer young people in detention (at least 30% less) by 2031.

Right now, we're not on track to meet these targets in Queensland. Aboriginal and Torres Strait Islander men, women, and children are over-represented in the justice system, as both offenders, victims and victim-survivors. This new Strategy, which we're creating together, will help change this.

We're teaming up with i2i Global Pty Ltd, an Indigenous owned and led organisation from Queensland, to help create this Strategy and everyone leading the discussions during the co-design is Aboriginal and/or Torres Strait Islander.

I want to stress how important it is to co-design this Strategy together. Your voices, experiences, and ideas will be the heart of our approach. We want our solutions to come from our communities, shaped by our culture, values, needs, and what works. The wisdom and knowledge of Aboriginal and Torres Strait Islander people will help make services, policies and programs better for everyone in Queensland.

We know there are challenges, like the on-going impacts of colonisation, trauma, disadvantage, and racism. But we also know how strong and resilient Aboriginal and Torres Strait Islander people are, as custodians of two of the oldest living cultures in the world. This strength and resilience will guide us toward change that will benefit generations to come.

Creating this Strategy is just the beginning. We're excited to work with all Queenslanders, organisations, and government agencies to reduce over-representation of Aboriginal and Torres Strait Islander people in the justice system. Thank you for joining us on this journey.

### **Stephen Tillett**

First Nations Justice Officer  
Department of Justice and Attorney-General

## Content warning

This document talks about domestic, family and sexual violence and may be distressing to some readers.

## Note on language

Queensland is a special place with two unique groups of First Nations people – Aboriginal Peoples and Torres Strait Islander Peoples. On the mainland of Australia, there are many different Aboriginal nations, each with its own culture, rules, and way of life. Torres Strait Islander peoples also have their own special cultures, languages, and rules.

In this document, we use the words Aboriginal and Torres Strait Islander or First Nations to talk about these Indigenous groups. When we write Indigenous with a capital "I," it's talking specifically about First Nations peoples in Australia, but only when it's in the title of a document or policy. When we write indigenous with a lowercase "i," it means we're talking about Indigenous peoples around the world.

We understand that using these words can sometimes make it seem like all Aboriginal and Torres Strait Islander people are the same, which isn't true. So, we use the word 'peoples' to show that there's a lot of diversity within these groups. This idea is supported by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and it acknowledges that there are many different cultures within these larger groups.

## Acronyms

| Acronyms | Meaning                                                        |
|----------|----------------------------------------------------------------|
| CJG      | Community Justice Group                                        |
| DFV      | Domestic and Family Violence                                   |
| DJAG     | Department of Justice and Attorney General                     |
| FNJO     | First Nations Justice Office                                   |
| JPP      | Justice Policy Partnership                                     |
| LTC      | Local Thriving Communities                                     |
| UN       | United Nations                                                 |
| UNDRIP   | United Nations Declaration on the Rights of Indigenous Peoples |

## Disclaimer

The material presented in this background paper and the discussion of possible actions or options does not represent Queensland Government or departmental policy. They are presented for the purposes of guiding discussion or consultation only.

## Background

### About the First Nations Justice Office

In 2023, Queensland Government set up the First Nations Justice Office in response to a report called to *Hear her voice – Report One*.

The report was written by the Women's Safety and Justice Taskforce. The Taskforce was looking at how to make laws against coercive control and if we needed a specific law for 'committing domestic violence'.

The report had 89 ideas to make the police, courts and law work better. The first idea was that the Queensland Government should work with Aboriginal and Torres Strait Islander peoples to create a plan (Strategy) to fix the problem that too many Aboriginal and Torres Strait Islander are arrested by police, go to court, or go to prison. The report said this plan should happen before we make new laws against coercive control. It should also have a way to see if it's working.

Part of our role in the First Nations Justice Office is to co-design this Strategy. Right now, we're talking to people and doing surveys to make this Strategy better and make sure it respects everyone's culture.

Our office has 11 permanent staff, with eight of these staff members Aboriginal and/or Torres Strait Islander peoples. We are working with i2i Global Pty Ltd, an Indigenous owned and led organisation from Queensland, to help create this Strategy and everyone leading the discussions during the co-design is Aboriginal and/or Torres Strait Islander.


### What else did the Women's Safety and Justice Taskforce say?

The Taskforce wrote another report called *'Hear her Voice - Report Two'*. It looked at the problems that Queensland women and girls face when they have to deal with the justice system (such as police, courts and prisons) if they are victims of crime or have committed a crime. It said that the justice and corrections systems are mostly run by men, and they don't always think about what women need.

In total, both reports had 277 ideas to make things better. They also said we should have a special group to look at the problems in the Queensland Police Service related to domestic violence. This group should also see how this affects Aboriginal and Torres Strait Islander people in the justice system. They should think about a way to reinvest in justice and make a Strategy to help women and girls in the justice system, especially Aboriginal and Torres Strait Islander women and girls.

## Aboriginal and Torres Strait Islander voices

The lived experiences of Aboriginal and Torres Strait Islander peoples are really important in this discussion. To make things better and reduce the number of Aboriginal and Torres Strait Islander peoples in the justice system, we need to start by listening, and building on the strength of Aboriginal and Torres Strait Islander peoples, and their knowledge and connection to culture and community.



It is critical we listen to the voices of Aboriginal and Torres Strait Islander peoples, organisations and people with lived experience when we co-design this Strategy.

## Your stories

We want to hear from Aboriginal and Torres Strait Islander peoples about their lived experiences. For some Aboriginal and Torres Strait Islander peoples, their interactions with government have been negative and experienced feelings of racial discrimination, fear, exclusion or mistrust. There may be feelings or experiences of being treated unfairly, or no trust the system.

This consultation process wants to acknowledge these experiences and we want to be open to hearing the truth. We want to know what's working, what's not, and what changes you would suggest. Our goal is to create a Strategy that supports healing for individuals, communities, and the whole state.

## How your information will be used

The Department of Justice and Attorney-General will collect any personal information you share with us for the purpose of getting feedback on the consultation process. Your information might be used in public documents, but it won't identify you. Your submission might also be shared with other Queensland Government agencies as part of the consultation process. Your submission may be subject to disclosure as required by legislation, such as the *Right to Information Act 2009*, and access to submissions will be determined in accordance with relevant legislation.

## Safety and support

The face-to-face and online consultations are designed to be culturally and psychologically safe. If you need extra support during any part of this Strategy co-design consultation, please use the resources provided in the **Appendix**.

## National Agreement on Closing the Gap

In 2020, a refreshed National Agreement set some important targets for justice. It's the first time we've had these goals since 2008 and these targets are like a call to action for all Australian governments. They say we need to do something to reduce the high number of Aboriginal and Torres Strait Islander people in our prisons, watchhouses, and youth detention centres. The Queensland Government has agreed to these targets.

The National Agreement also talks about four big changes we need to make in everything we do for Closing the Gap:

- Priority reform 1 – strengthening formal partnerships and shared decision-making;
- Priority reform 2 – building the community-controlled sector;
- Priority reform 3 – transforming government organisations; and
- Priority reform 4 – shared access to data and information at a regional level.

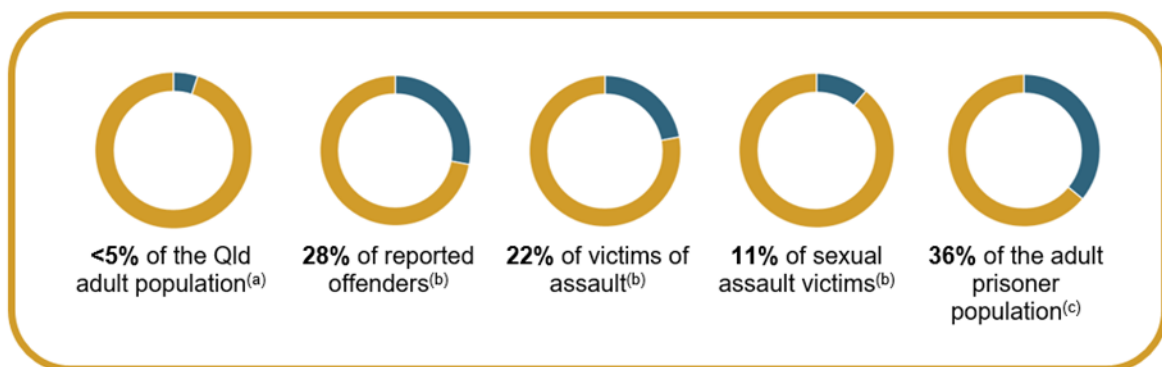
The National Agreement has set two justice targets our Strategy will work towards:

| Outcome | Target                                                               | Description                                                                                                                        |
|---------|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 10      | Adults are not overrepresented in the criminal justice system.       | By 2031, reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15 per cent.            |
| 11      | Young people are not overrepresented in the criminal justice system. | By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30 per cent. |

## The current situation

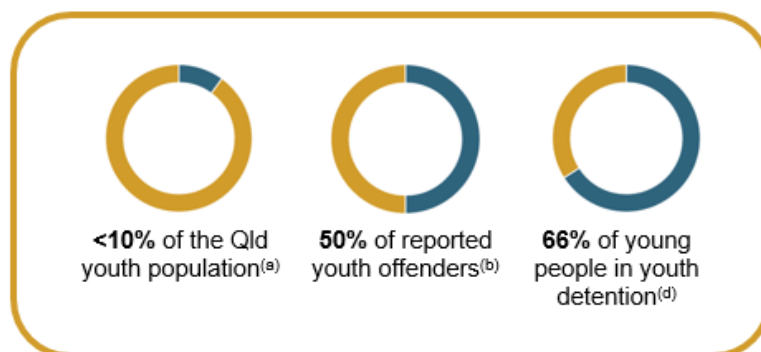
From the most recent public data:

In Queensland, Aboriginal and Torres Strait Islander adults (aged 18 and over) were:



1

In Queensland, Aboriginal and Torres Strait Islander youth (aged 10-17 years) were:



1

<sup>1</sup> Refer to the endnotes (page 10) for source information.

## Governance and accountability

The Queensland Government is changing the way we work with Aboriginal and Torres Strait Islander people and communities by giving more power to these communities to make their own decisions.

This change isn't just about talking or including people; it's about real teamwork and equity. We want to make sure that Aboriginal and Torres Strait Islander people and community-controlled organisations have a strong say in how things are done. This will help create a justice system that's fair and equitable, with no racism or discrimination.

Partnerships, which means working together closely, are very important to fix the problem of too many Aboriginal and Torres Strait Islander people in the justice system. This consultation process is a chance to make these partnerships even stronger and clear about what each person and organisation should do in this Strategy.

### Justice Policy Partnership

The Justice Policy Partnership (JPP) started in 2021. It includes Commonwealth, state and territory governments, Aboriginal and Torres Strait Islander community-controlled organisations and representatives working together to reduce incarceration rates of adults and young people.

The JPP is an important part of governance for the Strategy. In Queensland, the JPP has been set up with strong ways of working together in partnership with the Queensland Aboriginal and Torres Strait Islander Coalition (QATSIC). The QATSIC includes Aboriginal and Torres Strait Islander Legal Service, Queensland Aboriginal and Islander Health Council, Queensland Aboriginal and Torres Strait Islander Child Protection Peak and Queensland Indigenous Family Violence Legal Service.

We have an Executive Governance Group made up of leaders from government agencies, QATSIC, Aboriginal and Torres Strait Islander Housing Queensland, the Commissioner of the Queensland Family and Child Commission and two members of the Queensland First Children and Families Board. This group will give us advice and guidance about the Strategy.

## Past Agreements

In 2000, the Queensland Government signed the *Aboriginal and Torres Strait Islander Justice Agreement (2000-2010)* with the Aboriginal and Torres Strait Islander Advisory Board. This agreement aimed to reduce the number of Aboriginal and Torres Strait Islander people in jail by 50% by 2011. We made some big changes in the justice system because of this agreement. For example, we created the Murri Court, supported community justice groups, and improved probation and parole programs. We also made it easier for young people to get support instead of going to jail.

In 2011, we released the Indigenous Justice strategy called *Just Futures 2012 – 2015*. This strategy aimed to reduce Indigenous crime by focusing on education, employment, and making sure the justice system respects culture. We also worked on helping parents, families, and addressing substance misuse.



## Our commitment and challenges

We are changing the way we work with Aboriginal and Torres Strait Islander people and communities. We want self-determination and shared decision-making. This means we need to work together.

There will be challenges ahead, but we are committed to making a fairer justice system for all Aboriginal and Torres Strait Islander people in Queensland. It will take time and effort, but we can make a difference.

## Your ideas matter

The next steps on this journey must recognise the important work that has already been done. We will consider evidence from local, national, and international sources. We will work with Aboriginal and Torres Strait Islander communities, individuals, families, local governments, non-government organisations, and others.

Aboriginal and Torres Strait Islander people must have a big say in what happens, and we want to work with them. We will make sure their voices are heard.

## Have your say

State-wide consultation is open until **Friday 6 October 2023**, and you can share your thoughts:

**By completing the [survey](#)**

**By telephone** with the First Nations Justice Office on 07 3738 8062

**By email** at: [FNJO-justicestrategy@justice.qld.gov.au](mailto:FNJO-justicestrategy@justice.qld.gov.au)

**By mail** at:

First Nations Justice Office

Department of Justice and Attorney-General

GPO Box 149

BRISBANE QLD 4001

If you have any questions, please email us at: [FNJO-justicestrategy@justice.qld.gov.au](mailto:FNJO-justicestrategy@justice.qld.gov.au)

For more information, please visit: [www.justice.qld.gov.au/FirstNationsJusticeOffice](http://www.justice.qld.gov.au/FirstNationsJusticeOffice)

## What's next

We will collect and analyse the feedback and submissions we receive during this consultation. This will help us create a Strategy that works for everyone.

## Appendix

- Lifeline 13 11 14
- 13YARN 139276 (24 hours, 7 days a week) Aboriginal and Torres Strait Islander Crisis Support Line
- Brother to Brother 1800 435 799 (24 hours, 7 days a week)
- DVConnect 1800 811 811 (24 hours, 7 days a week) crisis support domestic and family violence helpline
- 1800RESPECT 1800 737 732
- BlackDog Institute iBobbly app: ([www.blackdoginstitute.org.au/resources-support/digital-tools-apps/ibobbly/](http://www.blackdoginstitute.org.au/resources-support/digital-tools-apps/ibobbly/))
- Yarn Safe (Headspace) [headspace.org.au/yarn-safe/](http://headspace.org.au/yarn-safe/)
- The [Aboriginal and Torres Strait Islander Disability Network of Queensland](#)  
Phone: 1800 718 969  
Email: [info@atsidnq.com.au](mailto:info@atsidnq.com.au)
- Victim Assist Queensland  
Phone: 1300 546 587 (9.00am–5.00pm, Monday to Friday)  
Email: [firstnationspeople@justice.qld.gov.au](mailto:firstnationspeople@justice.qld.gov.au)
- Australian Government Department of Health and Aged Care website for information on how to support yourself and others – [www.health.gov.au](http://www.health.gov.au))
- Gayaa Dhuwi (Proud Spirit) Australia website, Aboriginal and Torres Strait Islander Leadership in Social and Emotional Wellbeing, Mental Health and Suicide Prevention for support services. ( [www.gayaadhui.org.au/](http://www.gayaadhui.org.au/) )
- Beyond Blue website for information on how to take care of yourself and manage your mental health and wellbeing. ([www.beyondblue.org.au/](http://www.beyondblue.org.au/))

## Endnotes

### <sup>1</sup> Sources:

(a) Australian Bureau of Statistics

<https://www.abs.gov.au/statistics/people/aboriginal-and-torres-strait-islander-peoples/estimates-aboriginal-and-torres-strait-islander-australians/30-june-2021#data-downloads>

*Note – The population for the age group bracket 15-19 years has been averaged per year to estimate the population for each individual year of age. Queensland youth population refers to those aged 10-17 years in Queensland. Queensland adult population refers to those aged 18 and over in Queensland. This population data refers to the estimated resident population at 30 June 2021 and reflects the most recent, publicly available information on Queensland population by age for Indigenous and non-Indigenous Australians.*

(b) Queensland Government Statistician's Office - Crime report, Queensland, 2021-2022

<https://www.qgso.qld.gov.au/issues/7856/crime-report-qld-2021-22.pdf>

*Note - Offender data does not represent a count of individual (unique) offenders. A person may be recorded as an offender multiple times if they were proceeded against by police for multiple offence types within the same incident or multiple times within the reference period (2021-22 financial year).*

(c) Australian Government Productivity Commission (2022)

<https://www.pc.gov.au/closing-the-gap-data/dashboard/socioeconomic/outcome-area10>

*Note - Custody data refers to the count of individuals in prison custody at 30 June 2022.*

(d) Australian Government Productivity Commission (2022)

<https://www.pc.gov.au/closing-the-gap-data/dashboard/socioeconomic/outcome-area11>

*Note - Data is the number of young people in detention on an average day, across the full financial year 2021-2022.*