LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY
Mrs Giulia Jones MLA (Chair), Ms Bec Cody MLA (Deputy Chair), Ms Elizabeth Lee MLA, Mr Chris Steel MLA

Standing Committee on Justice and Community Safety

Inquiry into referred 2016–17 Annual reports

Responses to questions on notice following the public hearing of
8 November 2017

Attorney General

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY
GIULIA JONES MLA (CHAIR), BEC CODY MLA (DEPUTY CHAIR), ELIZABETH LEE MLA, CHRIS STEEL MLA

Inquiry into referred 2016–17 Annual and Financial Reports
ANSWER TO QUESTION ON NOTICE

RECEIVED
22 JAN 2018
ACT LA
COMMITTEE SUPPORT

Asked by James Milligan MLA:

In relation to: Annual Report, Indigenous Affairs in the JACS Portfolio

JACS RAP

1. P. 21 – I note that the Victims of Crime Commissioner, John Hinchey, is the Executive Champion for the Indigenous workforce, but which Minister takes responsibility for the Indigenous programs and initiatives in the directorate?
2. P. 22 – Have you now been successful in attracting indigenous people to the JACS RAP working group?

JACS Indigenous Cultural Awareness Training

3. P. 23 – states that you are on track to increase knowledge and understanding of ATSI cultures, histories and achievements. Yet only 43 staff attended ATSI cultural awareness training in 2016-17. This is less than 3% of the total JACS workforce.
    a. What does on track mean? What is the target?
    b. On p.150 you give a different – and slightly better number, 53, though still less than 3%. Which number is correct?
    c. What strategy is in place to improve these numbers?

ATSI Employment Action Plan

4. P. 25 – In 2016 the ATSI Employment Action Plan was launched. What have been the outcomes of the plan? What has been learned from the Action Plan with regard to increasing indigenous employment numbers in JACS?

GORDON RAMSAY: The answer to the Member's question is as follows:–

JACS Reconciliation Action Plan

1. Responsibility for implementing programs and initiates under the Justice and Community Safety (JACS) Reconciliation Action Plan (RAP) rests with the Director-General. Ministers for the JACS portfolios do not have responsibility for the initiatives and programs of the JACS RAP.

Civic Square, London Circuit (GPO Box 1020) Canberra ACT 2601
T (02) 6205 0127 E committees@parliament.act.gov.au W www.parliament.act.gov.au
Printed on 100% recycled paper

The JACS Stretch RAP 2016-19 is a commitment by the Directorate to achieve reconciliation. The third RAP was developed by the RAP Working Group, in consultation with the Aboriginal and Torres Strait Islander Elected Body and JACS staff. The RAP is endorsed by Reconciliation Australia. JACS reports progress of their reconciliation journey to Reconciliation Australia and the ACT Aboriginal and Torres Strait Islander Elected Body.

2. Since the first JACS RAP in 2011, the working group has always comprised Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander staff representing their business units. This includes having an Aboriginal and Torres Strait Islander as RAP co-chair. The working group is currently working to improve membership from community members.

JACS Indigenous Cultural Awareness Training

3a. Increasing knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements is an ongoing process for the Directorate. Cultural awareness training is one of the approaches supported by the Directorate to increase staff knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements.

During 2016-17, 53 employees attended Aboriginal and Torres Strait Islander Cultural Awareness sessions, with operational staff from ACT Corrective Services (ACTCS) required to attend this training as part of induction. This brings a total of staff completing the training to 608 (which includes separated staff from JACS).

The targets set by the JACS RAP for 2016 to 2019 include:

- 90% of staff who have Aboriginal and Torres Strait Islander colleagues, volunteers and customers attend Aboriginal and Torres Strait Islander Cultural Awareness learning activities (face to face or online training)
- 90% of staff working with the public in relation to criminal justice (for example staff working in Courts and Tribunal, correctional staff, staff providing restoration justice and staff providing victim support) provided with additional Aboriginal and Torres Strait Islander Cultural Awareness training to increase the competencies of relevant operational areas.

The Directorate aims to be on track to meeting these targets by 2019.

3b. The figure on page 23 which indicated 43 staff attending Aboriginal and Torres Strait Islander cultural awareness training in 2016-17 should be corrected as 53.

3c. Strategies put in place to improve participation in cultural awareness training include:

- continued staff participation in Aboriginal and Torres Strait Islander cultural awareness training programs. JACS is currently in the process of making available online cultural competence programs.
- continued support for participation in relevant conferences and workshops. Previous programs attended include:
  - education session conducted by Professor Sherwood of the University of NSW on 17 October 2017 for Judicial officers and registrars of each court
  - International Indigenous Health and Wellbeing Conference 2017
  - Indigenous Women's Leadership Summit 2017
  - Mental Health and Wellbeing of Young People Conference
  - International Restorative conference
  - Restorative practices and gendered violence
  - Provide support to offenders in Aboriginal and Torres Strait Islander communities
  - Suicide and risk assessment training
  - Vicarious Trauma
  - Engaging with different cultures

- inclusion of the following two accredited units into qualifications that ACTCS Registered Training Organisation issues:
  - CSCOFM005 Protect the safety and welfare of Aboriginal and Torres Strait Islanders (CSC30115 Certificate III in Correctional Practice, a mandatory qualification for all Correctional Officers)
  - CSCOFM016 Provide support to offenders in Aboriginal and Torres Strait Communities (CSC40115 Certificate IV in Correctional Practice Community specialisation) for Community Corrections Officers (CCOs).

Aboriginal and Torres Strait Islander Employment Action Plan

4. Since its launch in May 2016, the outcomes of the JACS Aboriginal and Torres Strait Islander Employment Action Plan under each objective have been as follows:

Objective	Outcome
1. Increase the number of Aboriginal and Torres Strait Islander employees within both identified and mainstream positions	• Increase in the number of employees who self-identified as being from an Aboriginal and Torres Strait Islander background from 33 in March 2016 (stated in the Plan) to 50 in June 2017.

Objective	Outcome
2. Support and empower Aboriginal and Torres Strait Islander employees by providing a culturally safe working environment and opportunities to participate in decision making.	• Appointment of an Executive Champion for our Aboriginal and Torres Strait workforce and JACS RAP Champion. • Appointment of an JACS Respect, Equity and Diversity (RED) Executive Sponsor to oversee progress of the Directorate's commitment to building inclusive workplaces. • These appointments are supported by a Senior Advisor Social Inclusion whose role was to develop and promote inclusive practices in the Directorate. The Senior Advisor during the reporting period also identified as being an Aboriginal person. • Participation in Aboriginal and Torres Strait Islander networks including the - JACS Network for the specific purpose of providing Aboriginal and Torres Strait Islander staff access to peer support from their Aboriginal and Torres Strait Islander colleagues. - Murranga Murranga ACTPS Aboriginal and Torres Strait Islander Employee Network to embed the ACT Government commitment to Aboriginal and Torres Strait Islander employment. • Coaching and mentoring opportunities made available for Aboriginal and Torres Strait Islander employees including the Emergency Services Agency (ESA) providing mentoring of graduates of the NSW Indigenous Fire and Rescue Employment Strategy (IFARES) Program.
3. Provide opportunities for all Aboriginal and Torres Strait Islander employees that support their development and career aspirations. Develop and enhance all employees' cultural competence and appreciation of Aboriginal and Torres Strait Islander	• Staff participation in the 2017 ACTPS Aboriginal and Torres Strait Islander Career Development Program. • Staff access to training and development opportunities via the JACS Learning and Development Calendar, ACTPS Training Calendar, specific job training provided by their

Objective	Outcome
cultures, including the historical impact associated with the justice system.	business units, various nationally accredited programs and study opportunities. Some training places were also allocated for Aboriginal and Torres Strait Islander employees. • Aboriginal and Torres Strait Islander cultural training made available to staff.

The Employment Action Plan has been developed with significant assistance from a range of key stakeholders who share an interest in, and focus on, Aboriginal and Torres Strait Islander matters. It provides focus on better understanding our Aboriginal and Torres Strait Islander employees' needs and aspirations, so the Directorate can provide effective and supportive strategies to retain them, and develop appropriate mechanisms around building individual capability through personalised plans.

Some lessons from the Action Plan with regard to increasing indigenous employment numbers in JACS include:

- a need to continue to review and employ innovative recruitment strategies and various communication methods and platforms to attract Aboriginal and Torres Strait Islander people to consider joining the Directorate;
- a need to continuously engage our stakeholders to promote JACS diversity initiatives and JACS Aboriginal and Torres Strait Islander employees for feedback and support; and
- commitment of JACS leaders and staff to support the Action Plan and build inclusive workplaces.

Approved for circulation to the Standing Committee Justice and Community Safety

Signature: Date: 19/1/18

By the Attorney-General

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY
GIULIA JONES MLA (CHAIR), BEC CODY MLA (DEPUTY CHAIR), ELIZABETH LEE MLA, CHRIS STEEL MLA

Inquiry into referred 2016–17 Annual and Financial Reports
ANSWER TO QUESTION ON NOTICE

Asked by **Elizabeth Kikkert MLA** to the Chief Executive Officer—Legal Aid ACT

Ref: Inquiry into Annual and Financial Reports 2016–2017

In relation to: Legal Aid ACT's assistance to Canberrans with Care and Protection concerns

During the hearing on Wednesday, 8 November, you took on notice a question regarding how many Canberrans last financial year approached Legal Aid seeking help with Care and Protection decisions but who had to be turned away owing to a lack of external review in the ACT. In response you said that you would need to disaggregate that information from a much larger body of data because Legal Aid has 'a whole range of matters with Care and Protection'.

In addition to providing the specific information requested during the hearing, can you please provide as much of this other data as you are able relating to those who approach Legal Aid with Care and Protection concerns? How many such matters come to the attention of Legal Aid each year? How many are turned away? How many is Legal Aid able to serve? Can concerns be broken down by issue? Why are potential clients turned away? And so forth.

Gordon Ramsay: The answer to the Member's question is as follows:–

For the first part of this question about applications for legal assistance in Care and Protection matters, please see my response to Question Taken on Notice, provided to the Committee Secretariat 17 November 2017.

In addition to the statistics about applications made where Care and Protection was the primary matter, Legal Aid ACT also provided 32 duty lawyer services, 56 advice services and took 159 Helpline calls for Care and Protection matters in 2016-17. No individual is turned away when seeking legal advice on a duty basis in relation to a Care and Protection matter.

As the response provided on 17 November 2017 indicated, it is important to note that children are always provided with representation in Care and Protection matters.

Legal Aid ACT is unable to break down Care and Protection concerns by issue.

Civic Square, London Circuit (GPO Box 1020) Canberra ACT 2601
T (02) 6205 0127 F (02) 6205 0432 E committees@parliament.act.gov.au W www.parliament.act.gov.au
Printed on 100% recycled paper

Legal Aid ACT provides grants of legal assistance in accordance with guidelines determined in accordance with s 12 of the *Legal Aid Act 1977* (ACT). These guidelines are available to the public on Legal Aid ACT's website at http://www.legalaidact.org.au/. To be eligible for a grant of assistance, an applicant must satisfy both a means and merits test, and meet other guidelines relevant to the application.

If an individual applies for a grant of legal assistance in relation to a Care and Protection matter, their application is assessed against the abovementioned criteria. If they do not meet these criteria they are not provided with a grant of legal assistance. If the applicant disagrees with the decision they may ask for Legal Aid ACT to reconsider the decision. If the reconsideration upholds the initial decision, the applicant may then apply for a final external review of the decision undertaken by an independent Review Committee comprising a barrister, solicitor and community member.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature: Date: 5/12/17

Gordon Ramsay, Attorney-General