



**ACT**  
Government

# ACT Government Interim Response

Final Report of the Independent Review into the  
Over-representation of First Nations People  
in the ACT Criminal Justice System

The Jumbunna Review

September 2025

## Accessibility Statement

The ACT Government is committed to making its information, services, events, and venues as accessible as possible. A summary of this document is available in Plain English, Easy English, and as an accessible video, at: [www.act.gov.au/open/act-government-response-to-the-disability-royal-commission](http://www.act.gov.au/open/act-government-response-to-the-disability-royal-commission).

## Acknowledgment of Country

We acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. We acknowledge and respect their continuing culture and the contribution they make to the life of the city and this region.

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## Introduction

The ACT Government is pleased to present an interim response to the *Independent Review into the Over-representation of First Nations<sup>1</sup> people in the ACT criminal justice system*, undertaken by the Jumbunna Institute of Indigenous Education and Research, at the University of Technology Sydney (the Jumbunna Review).

The ACT Government remains committed to reducing the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system including through meeting its targets under the Closing the Gap Agreement, and the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028. Meeting these targets will require coordinated, whole-of-government action alongside sustained partnership with the ACT Aboriginal and Torres Strait Islander community at both the local and the national level to develop and implement long-term solutions to address this over-representation.

The Jumbunna Review provided two reports to Government. The First Report, released in September 2024, assessed the ACT's progress on delivering on the recommendations of the Australian Law Reform Commission (ALRC) in its [Pathways to Justice](#) report, presenting key findings and areas for further exploration without making formal recommendations. The report showed that while we have taken significant steps, there was limited progress made in reducing the over-representation of Aboriginal and Torres Strait Islander people in the justice system.

The Final Report, released in July 2025, provides findings from extensive consultation with community organisations, legal services, government agencies and individuals with lived experience. It also makes 99 recommendations relating primarily to the development of strategies and recommendations for reducing Aboriginal and Torres Strait Islander over-representation in the ACT criminal justice system (in addition to the ALRC recommendations), including through the reform of law and policy.

There is a significant amount of evidence contained in the Final Report in the shape of Aboriginal and Torres Strait Islander people's lived experience and history. The ACT Government acknowledges the courage of those sharing their perspectives and experiences and is committed to hearing and responding to their contributions.

Significantly, the findings highlighted that over-representation has touchpoints across multiple areas of an individual's life and contact with different areas of government, not just the justice sector. As such, the findings are interconnected and require a range of actions and strategies.

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<sup>1</sup> This document uses the term First Nations in contexts where it reflects the title of the Jumbunna Review or aligns with the naming of a specific initiative. In all other instances, the term Aboriginal and Torres Strait Islander is used. The use of both terms is made with respect and recognition of the diverse identities, preferences, and cultural significance they hold. No offence or exclusion is intended by the choice of terminology.

The causal factors of over-representation are complex, and as such the recommendations cut across Government agencies and responsibilities, with significant implications for Government resourcing. Importantly, the Final Report recommends key actions to address decision making, accountability and coordination that should be addressed as a priority to provide a strong foundation on which to develop and implement responses to the remaining recommendations.

For this reason, the ACT Government is taking a considered, staged approach in its response to the Review and in how it intends to address these key recommendations.

### *Interim response*

This interim response outlines the ACT Government's proposed approach to the Jumbunna Review recommendations. It outlines how the Government is prioritising key recommendations to progress reform through a staged, whole-of-government and coordinated way that recognises the breadth and interrelated complexity of the work involved. This is expected to help lay the foundations for Government and the community to work together to improve coordination and shared decision-making, supporting broader reform over time.

It also provides a summary of the Review's key findings and recommendations and highlights areas where work is already underway or planned across government to address the over-representation of Aboriginal and Torres Strait Islander people in the justice system.

### *Next steps*

A detailed and considered response to all 99 of the Jumbunna Review recommendations will require significant inter-governmental focus, including to ensure that implementation cost and complexity can be properly assessed in order to have a realistic discussion with the ACT Aboriginal and Torres Strait Islander community about prioritisation and delivery of reforms.

We note that at least 23 of the Review's recommendations either explicitly call for new or increased funding for existing organisations or programs, or the establishment of new positions or bodies. These costs are likely to be substantial. In addition, there will be indirect costs associated with implementation of many of the other recommendations that will need to be properly assessed and quantified to ensure that there is proper understanding of how available resources can and should be directed.

The Government's response to the Jumbunna Review will be developed through continued consultation across directorates and will outline proposed actions aligned with each recommendation. In shaping this response, consideration will be given to existing structures, responsibilities, available resources, and the broader contemporary environment. These factors will help determine how each recommendation can be progressed in practice and may influence the form or emphasis of proposed actions.

An update will be given in six months, followed by an annual update to report on progress and implementation of the recommendations.

## Interim response – the Government’s proposed approach

The ACT Government acknowledges the high priority of recommendations 2.1 and 2.2 which recommend establishing an interim Aboriginal and Torres Strait Islander led justice oversight body to support independent and representative decision-making on the implementation of the Review’s recommendations (recommendation 2.1), and that this body would lead the process to identify and guide the development of future mechanisms that strengthen Aboriginal and Torres Strait Islander self-determination, improve government accountability, and enhance coordination on justice issues related to over-representation (recommendation 2.2).

Given the important foundational role that the Final Report identifies for this interim oversight body, the Government will prioritise, in partnership with members of the Aboriginal and Torres Strait Islander community, the establishment of appropriate Aboriginal and Torres Strait Islander led governance arrangements.

In considering the best arrangements to ensure that the recommendations of the Review can be delivered in partnership with the ACT Aboriginal and Torres Strait Islander community, and in line with commitments under Priority One of the National Agreement on Closing the Gap, the ACT Government will work with the Aboriginal and Torres Strait Islander community through the Aboriginal and Torres Strait Islander Elected Body and relevant Aboriginal Community Controlled Organisations (ACCOs) to develop a governance model that can oversee the implementation of recommendations of the review.

The ACT Government acknowledges the recommendations cut across the whole of Government and recognises the importance of Jumbunna’s note in the Final Report:

‘One of the greatest dangers facing our Review is that government agencies will continue to reproduce a siloed effect by only reading the sections of the Report they think applies to them, without seeing the totality and interconnectedness for change that is required. This is unfortunately, a mindset that is profoundly embedded.’ (page xii, Final Report)

The ACT Government acknowledges this risk and commits to ensuring that all agencies engage with the full scope of the Review. This includes improving the integration of service responses and reporting across government to reflect the interconnected nature of the recommendations and the systemic change required. As such, its first focus is establishing coordinated, Aboriginal and Torres Strait Islander led governance.

While this interim response reflects the areas headlined below as grouped in the Jumbunna Review’s final report, a more streamlined response that accounts for the complexities and intersections across the lifespan of Aboriginal and Torres Strait Islander people will be a primary consideration for future responses. Until that point, we remain focused on working together to implement the recommendations of the Jumbunna Review, honour our commitments under Closing the Gap, and ensure that future reforms are shaped by the voices, leadership, and priorities of Aboriginal and Torres Strait Islander peoples. This is a shared journey—and one we are proud to continue in genuine partnership.

## Key findings and recommendations

The findings of the Jumbunna Review are based on extensive consultation with a wide range of Aboriginal and Torres Strait Islander stakeholders, including community members, adults and young people with lived experience of the ACT justice system and community organisations. Additionally, consultation occurred with a mixture of Aboriginal and Torres Strait Islander and non-Indigenous community organisations, legal services, peak bodies, statutory authorities, ACT Government agencies and courts and tribunals.

The Final Report considers that structural issues such as decision making, accountability and Aboriginal and Torres Strait Islander determination need reform, and these issues sit across the whole of Government. The solutions to many of the issues that are factors in over-representation are not solely the responsibility of Government, and to be successful in reducing the over-representation of Aboriginal and Torres Strait Islander people in the justice system, the solutions need to be informed by the ACT Aboriginal and Torres Strait Islander community.

### ***The recommendations***

The recommendations cover the following areas:

- decision-making, accountability and coordination
- systemic racism, cultural safety, identification, funding and data
- education
- child protection
- youth justice
- ACT Policing
- bail
- courts and sentencing
- imprisonment and the AMC
- parole, reintegration, post release supervision and support

A consistent theme throughout the Final Report is that a lack of coordination is a structural driver of over-representation. Consequently, the Final Report calls for greater connectedness across government and agencies.

The Final Report contains 99 recommendations which have been grouped into two categories based on urgency and interdependence:

- The first group – comprising 45 recommendations - are considered to require priority implementation. These recommendations either lay the groundwork for broader reform or are expected to deliver the most immediate impact in reducing the over-representation of Aboriginal and Torres Strait Islander peoples in the justice system.

- The second group – comprising 54 recommendations – while equally important, are dependent on the successful implementation of the first group and are expected to deliver longer term outcomes.

Over half of all recommendations require agencies and directorates to work together to determine the response and work on the approach to implementation together.

The Final Report recommends establishing an interim Aboriginal and Torres Strait Islander led justice oversight body to support independent and representative decision-making on the implementation of the Review's recommendations. It also proposes this body would lead the process to identify and guide the development of future mechanisms that strengthen Aboriginal and Torres Strait Islander self-determination, improve government accountability, and enhance coordination on justice issues related to over-representation.

Given the important foundational role that the Final Report identifies for this interim oversight body, the Government will be prioritising consideration of the best arrangements to ensure that the recommendations of the Review can be delivered in partnership with the ACT Aboriginal and Torres Strait Islander community.

## Overview of current work aligning with recommendation themes

### Decision-Making, Accountability & Coordination

In addition to exploring appropriate Aboriginal and Torres Strait Islander led governance mechanisms, the ACT Government is looking to progress a range of initiatives aimed at improving decision-making, accountability, and coordination in addressing the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. These efforts reflect a commitment to community-led, systemic reform.

Key actions being explored include strengthening governance through the Aboriginal and Torres Strait Islander Justice Caucus and progressing towards a formal Justice Partnership to enhance collaboration between community and government. Leadership roles are also being considered to drive reform and ensure accountability.

The ACT Government committed to working with the community to strengthen the Elected Body model, with work already underway to progress this. This is being led through community consultations to help shape the future of the Elected Body so that it is best placed and supported to represent the rights, interests and aspirations of Aboriginal and Torres Strait Islander people in the ACT.

Strategic planning is also underway to develop a Whole-of-Government Transformation Strategy focused on addressing systemic racism and aligning reform efforts across agencies. The Transformation Strategy will strengthen accountability and coordination across government. In parallel, the commissioning of culturally responsive justice support programs continues to play a central role in enabling community-led solutions and improving outcomes for Aboriginal and Torres Strait Islander peoples.

Wellbeing Impact Assessments conducted as part of the cabinet process now include guidance empowering ACT Program and Policy Officers and Executives to identify how proposals may impact the Aboriginal and Torres Strait Islander community, including alignment with the *National Agreement on Closing the Gap* and the *ACT Aboriginal and Torres Strait Islander Agreement 2019-2028*. This process also encourages consideration of intersectionality, helping to assess how proposals may impact different groups in the community based on overlapping aspects of identity.

### Systemic Racism, Cultural Safety, Identification, Funding and Data

The government is aiming to progress a range of initiatives aimed at embedding anti-racism principles and improving cultural safety across the justice system. Central to this is the Whole-of-Government Transformation Strategy, which will guide the next phase of reform under the ACT Aboriginal and Torres Strait Islander Agreement. The strategy focuses on consistent, system-wide change to ensure government services are culturally safe and responsive to the needs of Aboriginal and Torres Strait Islander peoples.

Discussions are also underway to strengthen Aboriginal and Torres Strait Islander leadership and influence in justice governance. These roles are intended to drive accountability and ensure reforms are community-led.

Complementary work is underway to improve the equity and responsiveness of funding across the human services sector, including exploration of proportional funding models. These initiatives support broader reforms to embed culturally responsive funding structures and align with the priorities of Closing the Gap.

Efforts to continue to facilitate access to data relevant to the provision of justice services for Aboriginal and Torres Strait Islander people in the ACT are also progressing. In parallel, there is a strong focus on ensuring that policy and service delivery are evidence-informed and accountable to Aboriginal and Torres Strait Islander communities.

## **Education**

The Education Directorate committed to the establishment of a new mechanism to provide advice from the Aboriginal and Torres Strait Islander community to the Education Directorate that is independent of government. In 2024, the Directorate commissioned Curijo to lead a co-design process to advance this commitment. Curijo led a culturally responsive consultation process involving yarning circles and interviews with Elders, students, parents, ACCOs, educators, and government representatives. Options identified through this consultation process will be presented to the Elected Body for feedback and to determine how best to engage community on their preferred model going forward.

Efforts are underway to improve educational outcomes for Aboriginal and Torres Strait Islander children and young people, with a strong focus on early intervention and cross-agency collaboration. Targeted programs are being delivered to support children at risk of disengaging from education, helping to build protective factors and reduce pathways into the justice system.

A 3-Year-Old Development Check pilot project is currently underway in ACT Early Childhood Education Centres and Koori Preschools. The project aims to support the early identification of developmental needs and connect relevant supports and services when needed.

The ACT Government recognises the importance of cross-agency collaboration to support safe and culturally responsive school environments. Future work is expected to involve justice, education, and policing agencies working closely to consider the role of first responders in schools, with a focus on identifying approaches that prioritise student wellbeing and reduce unnecessary contact with the justice system.

## **Child Protection**

The ACT Government is implementing a range of initiatives to strengthen culturally responsive child protection practices and embed Aboriginal-led decision-making for Aboriginal and Torres Strait Islander children and families. These efforts focus on culturally informed oversight of care

decisions, maintaining cultural connection through tailored planning, and ensuring continuity across child protection and youth justice systems.

Under *Safe and Supported* (the National Framework for Protecting Australia's Children 2021–2031), the ACT is delivering key actions to reduce over-representation, specifically the eight priority actions under the *Aboriginal and Torres Strait Islander First Action Plan*. This work is guided by shared decision-making with the Aboriginal and Torres Strait Islander Leadership Group and aligns with ACT-specific strategies such as *Next Steps for Our Kids*, the *Our Booris, Our Way* review, and the ACT Aboriginal and Torres Strait Islander Agreement.

Legislative reforms to the *Children and Young People Act 2008* have embedded the Child Placement Principle in law, introduced external review processes to strengthen oversight, and extended support for care leavers up to age 21 (or 25 in some cases). Improved data practices are enhancing transparency and accountability while protecting privacy. Culturally safe and informed support continues to expand through the First Nations Family Response and Engagement Team and Kinship Support Liaison Officer, contributing to a reduction in Aboriginal and Torres Strait Islander children entering care.

The Government is committed to building the capability of ACCOs to support delivery of child protection and out-of-home care services. Complementary reforms are improving funding equity by prioritising proportional investment in ACCOs. These initiatives support *Closing the Gap* priorities by promoting self-determination and building a sustainable, culturally responsive sector. Tools such as Wellbeing Impact Assessments and practical case studies are helping embed proportional funding into budget processes.

Work is also underway to strengthen support for informal kinship carers, recognising their vital role in child safety and wellbeing. Voluntary programs are available to support families with complex needs, helping to reduce risk and promote stability.

## **Youth Justice**

There is a strong and growing focus on developing trauma-informed, therapeutic, and culturally safe responses for Aboriginal and Torres Strait Islander children and young people involved in the justice system. This includes coordinated service panels, crisis support, and partnerships with Aboriginal Community-Controlled Organisations to strengthen throughcare and maintain cultural connection. These approaches are designed to reduce contact with the justice system and support long-term wellbeing.

In response to raising of the minimum age of criminal responsibility, a range of initiatives are being implemented to ensure that children and young people at risk of or engaging in harmful behaviour receive trauma-informed, therapeutic and culturally safe support. The Therapeutic Support Panel for Children and Young People plays a key role in coordinating services, with flexible funding available to meet individual needs and trial innovative approaches. Data collection and reporting are being enhanced to support transparency and inform future evaluation.

Pilot programs such as the Safer Youth Response Service are providing after-hours crisis support, while Bimberi Youth Justice Centre continues to embed cultural safety through ACCO-led programming and Aboriginal and Torres Strait Islander led staff training.

A Youth Justice Strategic Plan is also in development, with a focus on mapping services and strengthening support pathways for Aboriginal and Torres Strait Islander children. It will provide a clear path for making the system more therapeutic, inclusive and focused on helping young people heal and grow. At its core is a commitment to Closing the Gap, specifically Target 11, which aims to reduce the over-representation of Aboriginal and Torres Strait Islander young people in detention by at least 30 per cent by 2031.

Efforts are also underway to ensure appropriate service provision within the youth justice system and at Bimberi Youth Justice Centre. These include the Warrumbul Children's Circle Sentencing Court, delivery of support services including case management and outreach support provided by Gugan Gulwan, Yarrabi Bamirr family centric model of support to reduce or prevent contact with the youth justice system and the Yurwan Ghuda (strong child) program.

### **ACT Policing**

Engagement with Aboriginal and Torres Strait Islander communities remains a high priority for ACT Policing and is being strengthened through responses to recent reports, including the ACT Ombudsman's Own Motion Investigation into *ACT Policing's administrative framework for engagement with the ACT Aboriginal and Torres Strait Islander community*. To support this, ACT Policing is developing a framework to monitor and evaluate the impact and effectiveness of its 2023–2028 *Strategy for Engagement with First Nations People and Communities*, with regular consultation with the Aboriginal and Torres Strait Islander community to ensure the strategy meets its objectives.

ACT Policing continues to work in partnership with the ACT Government to reduce recidivism and the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. This includes collaborative projects aimed at improving experiences for Aboriginal and Torres Strait Islander people, identifying additional data collection and analysis, and contributing to the development of a targeted ACT Domestic, Family, and Sexual Violence Strategy.

Recognising the importance of trauma-informed approaches, ACT Policing is conducting a research project to assess current understanding and application of trauma-informed practices across its workforce. This includes examining organisational culture, training, policy gaps, and attitudes toward trauma-informed practices, with the findings to inform a tailored framework for future training and policy development.

Transparency and accountability also remain central to ACT Policing's operations, with ongoing improvements in policy, training, and oversight, including the use of body-worn cameras which is increasingly important in daily police engagements while balancing privacy considerations. These efforts aim to maintain consistent standards and reassure the community of the seriousness with which officers approach their duties. ACT Policing is subject to strong external scrutiny and works

closely with oversight bodies such as the ACT and Commonwealth Ombudsman and Human Rights Commissions, which play a key role in promoting continuous improvement and best practice.

## **Bail**

A range of initiatives are currently underway to strengthen culturally safe bail support for Aboriginal and Torres Strait Islander people. These efforts build on existing adult-focused programs and include the proposed expansion of the Ngurrumbai Bail Support Program to younger cohorts, aiming to reduce remand and provide tailored, community-based support.

Alongside service design, work is being done to improve how bail-related data is captured, shared, and used. This includes exploring opportunities to better understand bail pathways, breaches, and outcomes, and identifying where more detailed information may be held across justice agencies. Strengthening the data environment will support more targeted service design and help evaluate the effectiveness of bail support programs.

In parallel, the ACT Government is currently considering amendments to the *Bail Act 1992*, including provisions that would require decision-makers to consider issues arising due to an accused person's Aboriginality when making decisions about bail. Following consultation, options are being explored for introduction as soon as practicable.

## **Courts and Sentencing**

A number of initiatives are underway to embed culturally responsive practices within ACT courts, with a focus on therapeutic and community-led approaches for Aboriginal and Torres Strait Islander peoples. The ACT Government recognises the importance of building on the successful Galambany Court and the Supreme Court Circle Sentencing programs.

Future developments will aim to provide more inclusive and culturally informed sentencing options, while ensuring timely access to appropriate bail pathways. Additional supports—such as wellbeing measures for panel members and continued use of Court Experience Reports—are also being explored to strengthen the sustainability of these approaches.

## **Imprisonment and the AMC**

Work is underway to continue to improve outcomes for Aboriginal and Torres Strait Islander detainees at the Alexander Maconochie Centre (AMC). These efforts focus on cultural safety, rehabilitation, and accountability, with incremental improvements being made to education, employment, and structured activities.

Cultural safety remains a priority, with ACT Corrective Services (ACTCS) developing a draft Cultural Model of Service and exploring ways to expand access to cultural programs and support services.

Monitoring practices, including increasing technology options to reduce strip searches, are under review to strengthen oversight and consistency. Additional measures, such as wastewater testing, are in place and being further considered to better understand drug use prevalence.

The Government acknowledges the importance of timely coronial investigations into deaths in custody, and the role that Aboriginal and Torres Strait Islander positions within oversight bodies may play.

On 7 May 2025, the Legislative Assembly passed a resolution which included a call for the ACT Government to commence a Board of Inquiry to examine, among other matters, any systemic issues surrounding the deaths of Aboriginal and Torres Strait Islander people in custody. In responding to this resolution, the Government has stated its intent to work to establish a Board of Inquiry in due course.

### **Parole, Reintegration, Post release supervision and support**

Various activities are underway to strengthen culturally responsive parole and post-release support for Aboriginal and Torres Strait Islander people. ACTCS is enhancing its ability to report on supervision levels, order outcomes, and Indigenous status, with data on community correction order completions and terminations now available for inclusion in annual reporting. These improvements support greater transparency and help inform service design.

In parallel, ACTCS is contributing to broader efforts to improve reintegration outcomes through targeted support and supervision. Work is being done to embed cultural safety across post-release services and explore opportunities for more tailored, community-led support. This includes collaboration with community organisations to strengthen service pathways and ensure that reintegration is responsive to the needs of Aboriginal and Torres Strait Islander clients.

The Government understands that focusing on improving data systems and processes to better capture parole-related information, including application outcomes and breach responses, will help to refine its person-centred data model and strengthen coordination across justice agencies. These improvements will help build a clearer picture of post-release experiences and support more effective, evidence-informed interventions.

The ACT Government is committed to delivering meaningful and lasting justice reform in partnership with Aboriginal and Torres Strait Islander communities. The initiatives outlined here reflect the progress already underway to build a more culturally safe, fair, and inclusive justice system.