

Submission 103

**SUBMISSION TO
THE PARLIAMENT OF AUSTRALIA
HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON
LEGAL AND CONSTITUTIONAL
AFFAIRS: INQUIRY INTO
CRIME IN THE COMMUNITY**

Justice Porfolio

South Australia

August

Introduction

The nature and extent of crime in our community, and the way in which the criminal justice system responds to both perpetrators and victims of that crime, is a key concern of government. However, it is a very complex issue.

Crime is, in many ways, a social construct. What is defined as 'criminal' varies not only from one culture to another but also from one time to another within the same culture. Some behaviours considered as criminal at one time in our history are later decriminalised (e.g. drunkenness). Conversely, other behaviours initially considered as acceptable at some later point become criminalised (e.g. drink driving, stalking).

Measuring the extent of crime

Because crime is a social construct, it is very difficult to measure. There are two main sources of information on the extent and nature of crime. The first source of information is the crime victimisation surveys conducted on a regular basis by the Australian Bureau of Statistics. A randomly selected sample of households and individuals are asked whether they have been victims of specific types of offending, such as vehicle theft, break-in or assault, in the past 12 months. Figures are then extrapolated to the population as a whole. These surveys count all crimes that victims believe they have experienced, irrespective of whether or not these crimes have come to the attention of police. They also provide important information on what proportion of offences are reported to police. However, these surveys are limited in that they are restricted to a small number of offence types that involve a victim, they are not conducted annually, and they are reliant on the memory of respondents regarding events that have happened within the previous 12 months.

The second main source, and the one used most frequently because of its relative accessibility, is official crime statistics, collated by criminal justice agencies such as the police and courts. The main limitation of these data is that the number of recorded offences does not necessarily reflect the actual incidence of crime. It has been shown through victimisation surveys that a proportion of crime is never reported, and that reporting rates vary between different offences. For example, the most recent information available indicates that reporting rates for vehicle theft are over 90%, compared with 79% for break-ins, 55% for robbery and 27% for assault (SA Crime and Safety Survey, ABS 2000). In the case of victimless crimes, such as drink driving, disorderly behaviour or possess/use drugs, the numbers of offences recorded by police are influenced by policing practices, such as the number of random breath tests that are conducted for drink driving offences.

As a result of these limitations there is no single reliable way of measuring the actual level of crime in the community.

Causes of crime

Because crime is not a unidimensional concept, there are also many theories about its causes. Many factors, either alone or in combination, have been put forward to explain crime and apparent changes in the levels of crime. These include;

- Economic adversity, such as low income levels, income inequality and unemployment. Research has shown that there is a correlation between economic hardship and crime, but that the relationship is very complex.
- Demographic change, such as an increase or decrease in the population of a particular age group with a traditionally high crime rate;
- Illicit drug use, where an increasing number of drug users are resorting to income-generating property crime to support their drug dependency; and

- Factors situated within the individuals themselves, such as inability to control anger, grief or mental impairment.

In summary, there are a number of factors that may cause crime, either individually or in combination with other factors. Causation also varies depending on the type of crime and the frequency with which the individual offends. For example, factors leading to recidivist offending are, in all likelihood, very different from those that underpin a once-off criminal act. Similarly, causation varies depending on the type of crime – e.g. factors leading to involvement in a sexual assault are in most instances very different from those leading to a robbery or homicide.

Responses to crime

Given this complexity, responses to crime, whether they are at the individual, community or government level must be very diverse. Although the media, of necessity, tends to advocate simplistic solutions, such as more police and mandatory sentencing, research has shown that a range of strategies need to be implemented if crime is to be successfully addressed.

In recognition of this, the Justice Portfolio in South Australia has developed a number of initiatives and programs, many of which are conducted in partnership with other government and non-government agencies as well as local communities. A discussion of these initiatives forms the basis of this submission.

Structure of the submission

This submission is presented in three sections:

- Section 1 provides a brief overview of crime in South Australia, as measured by both crime victimisation surveys and official crime statistics.
- Section 2 provides an overview of the Justice Portfolio in South Australia, its aims and governance.
- Section 3 outlines recent initiatives and programs that have been implemented by the Justice Portfolio in response to the diverse nature of crime.

Section 1: Crime in South Australia

The following section looks at crime trends in South Australia. As indicated, there are two main sources of information on crime trends; victimisation surveys and official crime figures as recorded by police.

Victimisation surveys

The most recent victimisation survey in South Australia was conducted by the Australian Bureau of Statistics during the month of October 2000. A randomly selected sample of households and individuals were asked whether they had been victims of specific types of offending in the preceding 12 months. Figures were then extrapolated to the South Australian population as a whole. The crimes surveyed were break in and attempted break in, vehicle theft, assault and robbery.

Levels of victimisation in 2001

From the 2000 Crime and Safety Survey it is estimated that during the 12 months to October 2000:

- 5.1% (n =31,600) of households in South Australia experienced at least one break-in;
- 3.8% (n=23,300) of households experienced at least one attempted break-in; and
- 2.1% (n=12,900) of households experienced at least one vehicle theft.

In addition:

- 0.7% of individuals surveyed experienced at least one robbery; and
- 4.6% of individuals experienced at least one assault.

Trends in victimisation levels

Figures 1.1 to 1.3 show victimisation rates for break in, robbery and assault as recorded in the five surveys conducted between 1991 and 2000.

As shown in Figure 1.1, the percentage of households victimised for break-in decreased between 1991 and 1998, but showed an increase in 2000. In contrast, victimisation rates for robbery offences were lowest in the two most recent surveys, while assault victimisation rates increased in both 1998 and 2000.

Figure 1.1 Victimisation rates for break-in, 1991, 1993, 1995, 1998 and 2000

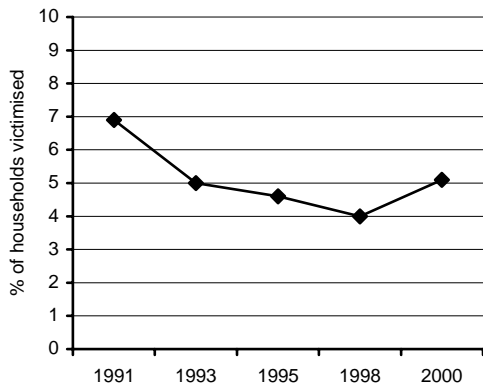


Figure 1.2 Victimisation rates for robbery, 1991, 1993, 1995, 1998 and 2000

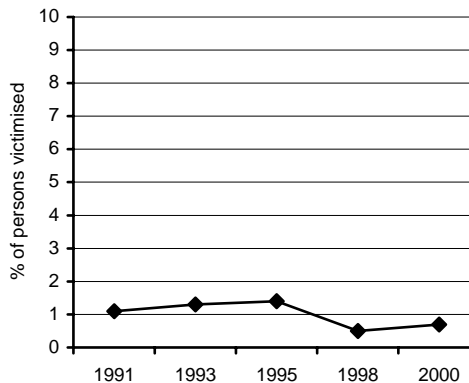
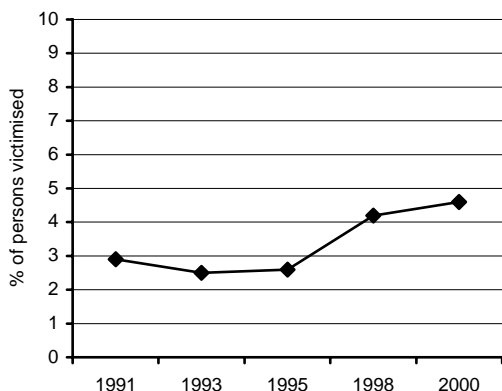


Figure 1.3 Victimisation rates for assault, 1991, 1993, 1995, 1998 and 2000



Reporting rates

The survey also showed wide variation in reporting rates for different types of crime. While 90.8% of vehicle thefts were reported to police, this figure was 78.8% for break-ins, 54.8% for robbery and only 27.3% for assault. This means that, while official crime statistics provide a relatively accurate indication of the actual level of vehicle theft in the community, they significantly underestimate the level of assault.

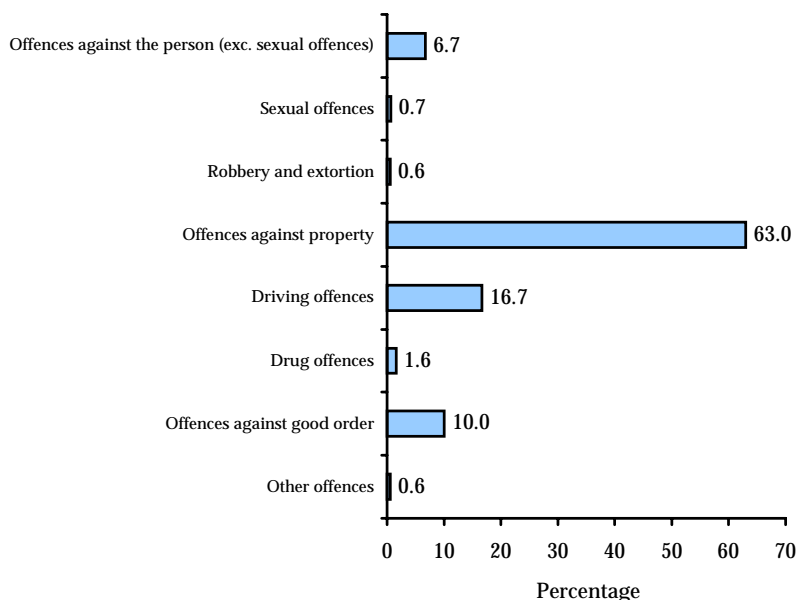
Offences recorded by police

Types of crime

There is no single crime statistic that can comprehensively reflect the profile and volume of crime in South Australia. There are many types of offences that may involve violence, property theft or damage, possession, sale or manufacture of illicit drugs or public disorder. These offences range from minor to very serious and occur with varying levels of frequency.

Figure 2 shows the profile of broad offence types, from officially recorded crime figures in South Australia for 2001. This profile has changed little over recent years, with property offences generally accounting for almost two-thirds of all offences recorded each year. The next most common type of offence is driving offences (16.7%), followed by offences against the person (6.7%). Robbery, sexual offences and drug offences account for a very small proportion of the total number of offences recorded.

Figure 2 Distribution of offences recorded by police, 2001



Crime trends: South Australia

There are marked variations in longitudinal crime trends depending upon the type of offence considered, as shown in Figures 3.1 to 3.6, which detail a small number of selected offence categories. As shown, the total number of recorded *offences against the person* increased steadily between 1982 and 2001. In contrast, *robbery*, total *property offences*, *burglary/break enter* and *motor vehicle theft* all showed increases up to the late 1980s or early 1990s, followed by decreases to 1997. For *drug offences*, the impact of a change in legislation on the number of recorded offences is clearly shown.

Figure 3.1
Total offences against the person 1982-2001

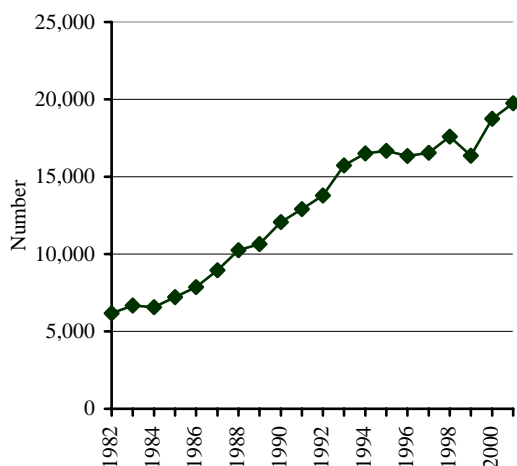


Figure 3.2 Robbery offences 1982 -2001

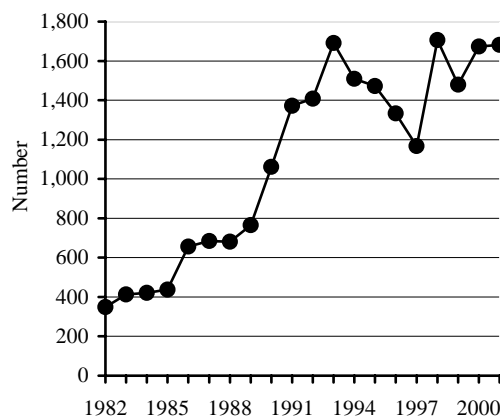


Figure 3.3 Total property offences 1982 -2001

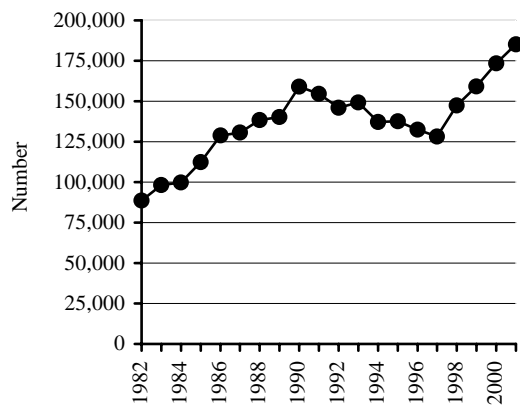


Figure 3.3 Burglary/Break enter 1982-2001

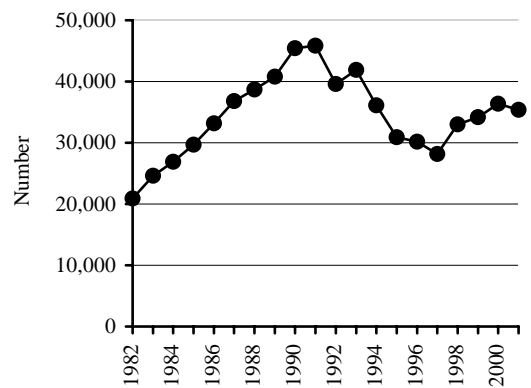


Figure 3.5 Motor vehicle theft 1982-2001

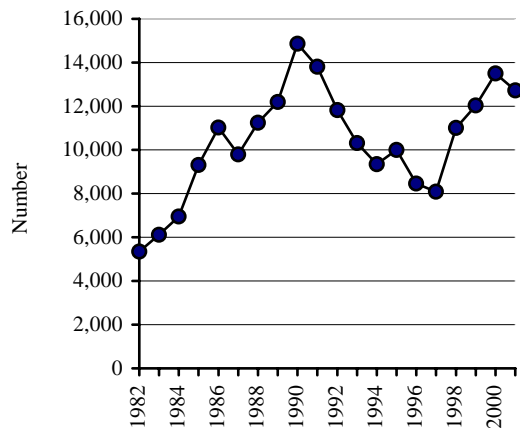
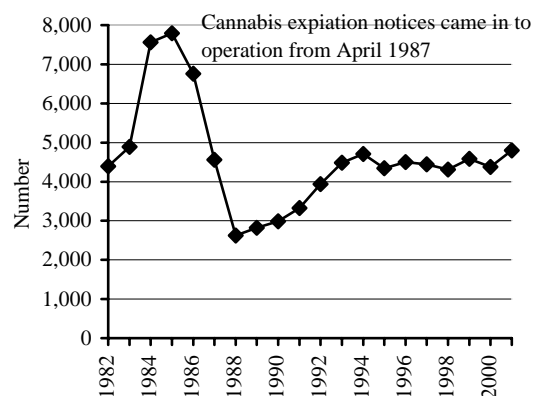


Figure 3.6 Total drug offences 1982-2001



Crime trends: South Australia compared with Australia

While it is important to consider trends within a jurisdiction, it is also valuable to compare trends across jurisdictions. The establishment of the National Crime Statistics Collection within the Australian Bureau of Statistics in 1993 allows relatively reliable comparisons between jurisdictions and for Australia as a whole.

Comparisons between state and national trends show that while some offences have similar trends, for other offence types the relative positions shift over time. Figures 4.1 to 4.4 show trends in the number of recorded offences per 100,000 population for the selected offence types of *assault*, *robbery*, *unlawful entry with intent* (ie break/enter) and *motor vehicle theft* for South Australia and Australia. As shown, the trends over time are different for each offence type and each jurisdiction. For example, the South Australian rate for *assault* has generally increased since 1995, and has consistently been above the national average. In contrast, the South Australian rate for *unlawful entry with intent* (ie break enter) showed a downward trend between 1993 and 1997, and has not been consistently above or below the national average during the time period depicted.

More details on recorded offending can be obtained from the South Australian Office of Crime Statistics.

Figure 4.1
Assault (excluding sexual assault)
1995 to 2001

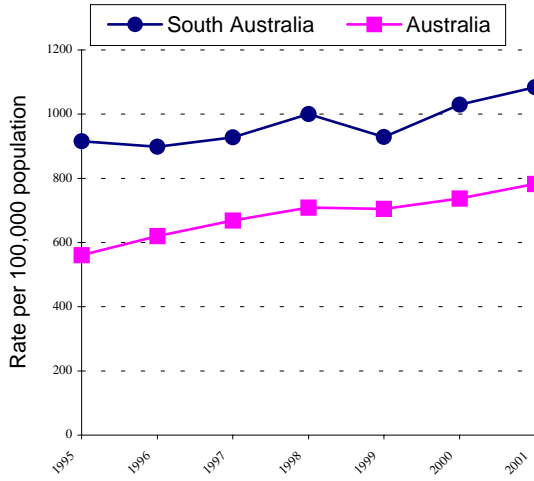


Figure 4.2
Total robbery 1993-2001

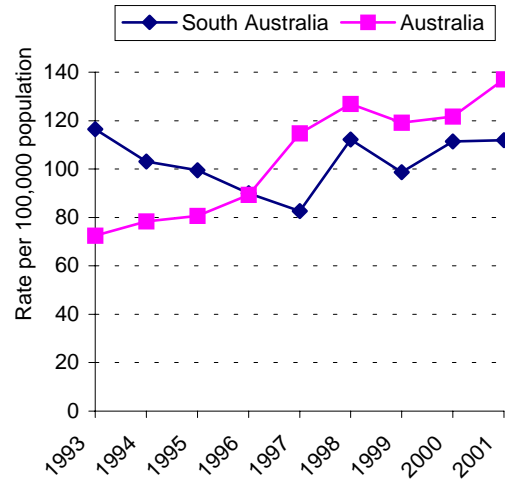


Figure 4.3
Total unlawful entry with intent
1993-2001

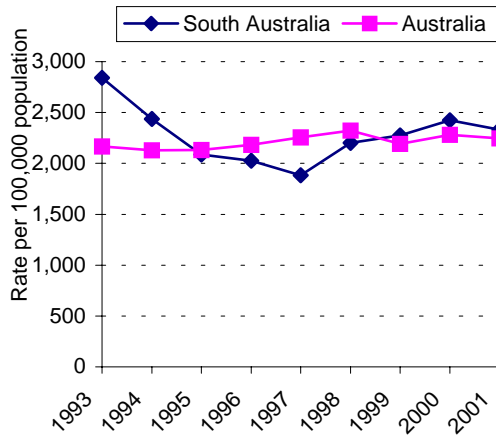
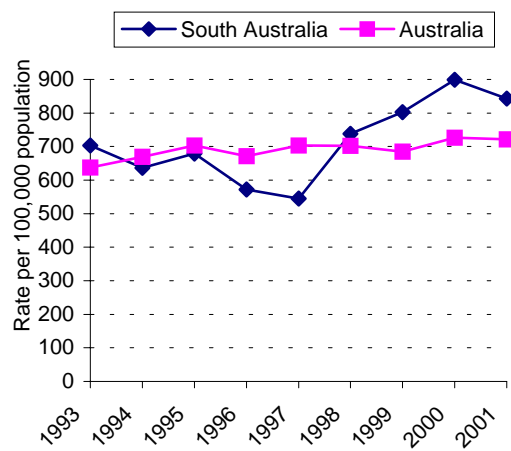


Figure 4.4
Motor vehicle theft* 1993-2001



* Includes illegal use of a motor vehicle

Section 2: The Justice Portfolio in South Australia

The Justice Portfolio is concerned with achieving a safe, secure and responsible community by means consistent with a fair and democratic society.

Background

In 1997 the Government of South Australia was restructured and ten super portfolios were created. The Justice Portfolio was one of these, bringing together a broad range of agencies including:

- Police;
- Correctional Services;
- Courts Administration Authority;
- Emergency Services (including fire, ambulance);
- Attorney-General's Department (including Crown Solicitor's Office and Public Prosecutions); and
- Statutory Office Holders (e.g. Commissioners for Equal Opportunity, Consumer Affairs, Liquor & Gambling, Legal Services and the State Ombudsman) and their associated agencies.

The Justice Portfolio is responsible for coordinating justice and emergency services for the South Australian community. It provides an overarching framework for public accountability, policy formulation, coordination and strategic leadership in all Justice agencies. The Portfolio employs over 9,000 staff, coordinates the activities of 40,000 volunteers and has a budget of over \$A1 billion.

Governance model

A network model was chosen for the operation of the Justice Portfolio. Networked organisations are characterised by their flexibility and ability to provide rapid, precise, creative and customised responses in order to achieve targets that are more transitory, contested, complex or heterogeneous. They differ from hierarchies by cutting across traditional boundaries (such as police and courts) to focus functions simultaneously on any given project. The Justice Portfolio model recognises that each agency is independent and collaboration on specific projects occurs as opportunities arise.

Leadership in the Justice Portfolio

Portfolio agencies work together under the direction of the *Justice Portfolio Leadership Group (JPLG)*, which is comprised of executives who represent the services of the Portfolio including the:

- Chief Executive of the Attorney-General's Department and Department of Justice;
- Police Commissioner;
- Court's Administrator;
- Chief Executive of Correctional Services;
- Chief Executive of the Emergency Services Administrative Unit; and
- Crown Solicitor.

As a confederation of agencies, not a hierarchy, the Leadership Group reflects the Portfolio's arrangements and its desired culture: one of collaboration, problem solving, achievement and commitment to the public.

The JPLG has set a clear vision for the Portfolio that transcends the specific responsibilities of each agency. A Strategic Directions Statement for the whole Portfolio has been developed. This has resulted in communication of the shared vision, and the creation of a set of common values and strategic directions that have relevance to every agency within the Portfolio. Our annual planning cycle ensures the relevance of the Directions, highlights agency achievements, and provides the opportunity for the JPLG to review Portfolio performance.

The Justice Portfolio has taken significant steps in relation to cross Portfolio policy development and for the first time, there has been a concerted effort to examine the justice system as a whole. This policy emphasises collaboration across Justice agencies and with other government departments and the public as essential to the achievement of our vision for a safer community protected from the consequences of crime. The Justice Portfolio Illicit Drugs Strategy and the problem solving courts, as detailed later in this submission, are particular examples of such collaboration.

In summary, the vision for the Justice Portfolio is:

For the South Australian community to be a safe, fair and just place to live, work, visit and do business.

To develop throughout the Portfolio a lasting culture of justice, cooperation, social responsibility and achievement.

Our mission is:

To guide and foster the efforts of our justice agencies and to work in a strategic manner to:

- Reduce crime and its social and economic impact;
- Enhance the safety of the community;
- Support democratic, fair and just processes for citizens, consumers and business;
- Promote access to justice for all South Australians; and
- Achieve the effective and efficient use of resources.

We do this by planning together, leading the development of legislation based upon sound public policy and collaborating to implement key changes. In all of these actions we aim to build and sustain a civil society.

Our approach includes:

- Community involvement;
- Access and diversity;
- Prevention;
- Collaboration;
- Early intervention;
- Enhancing knowledge;
- Innovation and problem solving; and
- Continuous learning and improvement.

Our goals are to:

- Deal effectively with emergencies;
- Deliver justice fairly and effectively;
- Recognise victim's rights and assist victims and witnesses;
- Protect the community from drugs;
- Prevent the incidence of familial violence;
- Enhance consumer and business protection;
- Address the fear of crime;
- Respond appropriately to people with a mental illness or disability;
- Respond to crime in a technological society; and
- Excel in service and innovation.

Section 3: Justice Portfolio Programs and Initiatives

This section outlines the recent programs and innovations that the Justice Portfolio has planned, developed and implemented within South Australia.

The programs/initiatives are presented in a number of sub-sections, as listed below:

1. Crime prevention initiatives;
2. Building stronger communities through partnership and participation;
3. Major police initiatives;
4. Strategies to support victims of crime;
5. Child abuse/protection;
6. Aboriginal justice initiatives;
7. Illicit drugs;
8. Domestic violence initiatives;
9. Juvenile justice;
10. Problem solving courts and
11. Alternative sentencing and custodial-remand options

3.1 Crime Prevention Initiatives

The Justice Portfolio is committed to encouraging and supporting South Australian communities to prevent crime and contribute to a safer society. Underpinning this approach is the recognition that the causes of crime vary, that different crime prevention measures are required for different types of offending, and that to prevent or reduce crime it is necessary to involve a range of partners in crime prevention work.

Current crime prevention programs/initiatives are detailed below.

Local Crime Prevention Program (LCPP)

The LCPP has provided funding and project management support to Local Government areas within South Australia in order for them to research and implement locally applicable crime prevention and community safety work.

The focus of the work has been on problem solving approaches to local crime issues, with each Local Government Area identifying the range of issues it will work on. These vary, but commonly include such issues as residential serious criminal trespass; motor vehicle theft; graffiti prevention; domestic violence; retail theft reduction, and issues relating to anti-social behaviour and alcohol consumption.

The types of responses have included situational crime prevention (e.g. target hardening in serious criminal trespass cases), social crime prevention (e.g. work in schools and work directly with families in domestic violence prevention work), and crime prevention through environmental design, which seeks to design and develop the urban environment in such a way as to deter criminal behaviour. Partners in the program have included Local Government Councils, Police, Neighbourhood Watch, Family and Youth Services, Service Clubs, businesses, youth agencies, Correctional Services, schools and other community groups.

There has been a reduction in state funding to the program in the 2002-03 state budget, due to changes in the government's overall priorities within a constrained financial situation. The funding reduction was not related to any concerns about the program's effectiveness.

South Australian Residential Break and Enter Pilot Project

The South Australian Residential Break and Enter Project aimed at improving the quality of life through a focus on the prevention of repeat victimisation.

The project was undertaken between November 1998 and January 2000 in two metropolitan police divisions. It was jointly funded by the Commonwealth and the SA Attorney-General's Department. Trained volunteers from the local community visited break and enter victims to provide a number of services including a security audit, informal support, referral to other agencies, referral for property marking and links to neighbours. In addition, one project area was provided with a target-hardening service, consisting of the provision and installation of locks to the value of \$200.

South Australian Residential Break and Enter Project - Mark II

Consequent to the evaluation findings of the 1997 South Australian Residential Break and Enter Pilot Project, it is expected that Commonwealth funding will be provided to develop a strategic approach to reducing residential break and enter across South Australia. Initiatives include:

- the development of a public awareness kit on ways to reduce the likelihood of being a victim of residential break and enter; and

- developing a 'community workshop' in the format of a CD-Rom to address residential break and enter, which can be used by trained practitioners, such as local councils, local police and crime prevention practitioners, to inform the community about ways to prevent victimisation.

Crime Prevention Through Environmental Design (CPTED)

CPTED is based on the idea that people's behaviour within the urban environment, particularly in terms of the possibility of offending, as well as an individual's perceptions about their safety, is influenced by the design of that environment. CPTED, therefore, involves the application of a range of design initiatives and principles to an area or site, to encourage effective use of that space by minimising its potential to facilitate and support criminal behaviour.

The Crime Prevention Unit within the Attorney General's Department has produced a CPTED training manual in CD-Rom format, which has been widely circulated, including to several interstate bodies. The manual is intended for use by a range of sectors and agencies that have a role in urban development and the use of public space.

The second component of this work involves encouraging all relevant State Government departments and agencies with responsibilities related to public space to incorporate CPTED into their work.

Dry Areas

Dry Areas in South Australia are public space areas where the consumption and/or possession of alcohol are prohibited. In general they are initiated as a response to strong public concerns about the consumption of alcohol in public spaces that may lead to anti-social behaviour and particular types of crime. This anti-social behaviour, including crimes, can make the public fear for their safety in these areas. Dry Areas can make the public feel safe when using these areas. However, Dry Areas can also marginalise particular groups and displace offending behaviour.

The Crime Prevention Unit is currently undertaking a review of a selected number of Dry Areas across the state to determine their role in crime prevention.

Panyappi – Aboriginal Youth Mentoring Project

Panyappi is a mentoring project working with indigenous young people aged 10 to 18 years of age involved in offending behaviours. The Commonwealth Attorney-General's Department is jointly funding the project, with SA Attorney-General's Department and Department of Human Services. Mentoring is seen as having particular application in Aboriginal communities as it is compatible with the cultural tradition of older people in the community providing guidance and transferring knowledge to younger members.

Panyappi is principally a crime prevention project that aims to:

- intervene in pathways of offending behaviour and bring about a positive shift in each young person's attitude towards offending and in their behaviour;
- decrease each young participant's contact with the juvenile justice system and/or agencies associated with the juvenile justice system;
- promote self-discovery and self-determination by young people participating in the project, their family and the wider community; and
- work collaboratively with all agencies that have mutual responsibility for resolving the young person's difficulties.

Under the project, mentors work with a young person for up to 20 hours per week providing support, friendship and positive role modelling. The mentor also has a proactive role in providing advice, assistance in accessing education and training, linking with appropriate social networks and reinforcing appropriate

behaviours. A care plan is developed between the mentor and the young person, which identifies objectives of the young person and how the mentor will assist the young person. A case conferencing process is part of the Panyappi project design, which brings multiple stakeholders together to share information and co-ordinate support for the young person.

Domestic Violence

Refer to Section 3.8 on Domestic Violence Initiatives.

Early Intervention in Crime Prevention

The *Pathways to Prevention: Developmental and Early Intervention Approaches to Crime in Australia* report, commissioned by the National Anti-Crime Strategy and National Crime Prevention, found evidence that some early intervention approaches can reduce later criminal behaviour, and recommended that intensive pilot projects be conducted in Australia.

The South Australian Program aims to reduce crime by developing, implementing and evaluating early intervention approaches to crime prevention in two localities in South Australia. The Commonwealth Attorney-General's Department is supporting this program, along with a number of other State-based partners. Interventions that have shown promising results in other contexts include intensive parenting support to families with new-born children; cognitive and social skills development programs for pre-school children; programs to increase attachment to and success in school; and some programs with young offenders. The selection of interventions will depend on the needs of the local communities.

Based on a range of criteria including crime data, socio-economic indicators, demographic data, and consultations with a range of State-level stakeholders, the northern regional centre of Port Augusta and a cluster of suburbs in the southern Adelaide metropolitan area of Noarlunga have been selected. Extensive local consultations and a second level of data analysis have been undertaken to identify:

- The transition points in life on which the program should focus. Transition points are times of high vulnerability but also of opportunity for intervention;
- The risk and protective factors for involvement in criminal activity that should be addressed;
- The programs, services and initiatives already in existence; and
- Early intervention initiatives or developments appropriate to the needs of each community.

A State Reference Group with members from a range of Government and non-government agencies has been established to provide leadership and direction for the project. In addition, an expert advisory group has been established to provide access to up-to-date research and assistance with evaluation.

Work is now continuing on the development of strategies appropriate to each location.

Early intervention and preventing crime through rehabilitation and community corrections

The Department for Correctional Services has a key role in crime prevention through the provision of rehabilitation programs and the effective management of offenders within a community setting.

Review of Throughcare and Case Management

The provision of effective rehabilitation programs focused on offence related and offence specific factors reduces the likelihood of reoffending and therefore reduces the economic and social cost of crime.

The Department for Correctional Services has recently completed the first stage of a full strategic review of the services it provides to rehabilitate offenders. A plan to progress case management of prisoners and offenders and the programs they receive is in the process of being implemented.

Core Programs

The Department has six 'core' programs that are designed to address the criminogenic needs of offenders. These programs are: Cognitive Skills (Reasoning and Rehabilitation); Alcohol and Other Drugs; Literacy and Numeracy; Anger Management; Victim Awareness, and Domestic Violence.

Community Corrections

The Department for Correctional Services is committed to the investigation and promotion of innovative concepts to broaden the range of Community-based options for the management of offenders. For example, in 2000/2001, the Department increased the capacity of the Home Detention program through a range of systematic improvements in both city and country regions, and introduced new electronic monitoring equipment to intensify surveillance of home detainees. Using a radio frequency based electronic monitoring system, the new equipment checks a detainee's presence at their residence every eleven seconds. It does not require a response from the client, and is less intrusive to the client and other residents than monitoring systems based solely on random telephone calls.

3.2 Building stronger communities through partnership and participation

Another key aspect of the Justice Portfolio Strategic Directions is its commitment to the continuing development of collaborative working relationships across justice agencies, with other government agencies, community-based organisations and communities themselves to identify and tackle problems specific to particular regions or population groups. It is recognised that responses to the diverse and complex nature of crime must involve a range of partnerships and that communities can build their own resilience as part of the process of developing crime prevention strategies. The concept of community cohesion is also an important element of this. By providing opportunities for the direct involvement and participation of communities in designing and implementing appropriate solutions to local concerns and by building partnerships between people and organisations, these issues can be tackled and safer, more resourceful communities will emerge.

Capacity building strategies that aim to strengthen communities are central to this approach, and build on the State's strong heritage in community development and social justice. The initiatives come from different perspectives or may be part of larger agendas, such as urban regeneration, social inclusion, health promotion, family support, community development or crime prevention, but all are essentially focused on prevention and contribute to the whole-of-government effort.

Port Augusta Social Vision

Since mid-2000, the State Government and the City of Port Augusta have been working in partnership to progress a number of recommendations from a Social Vision and Action Plan for Port Augusta, prepared by the Port Augusta Council. The Social Vision Project arose from community concerns about the withdrawal of many services, a lack of educational and employment opportunities, increasing crime and cultural tensions, limited opportunities for young people and a perceived lack of Government support to address these problems.

The aim of the Social Vision is to build the social capital and social wellbeing of Port Augusta. These concepts are described in the Social Vision in the following way:

'The social wellbeing of a community can be equated with the levels of social capital present. Social capital is created by relating to others, building trust, developing a sense of reciprocity in looking after common interests... In Port Augusta, the notion of social capital has to be applied in the context of the cultural diversity of the community. Social wellbeing develops through:

- *participation, connection and relationships which give a sense of belonging;*
- *respect for diversity and difference including those differences created by class, age, gender and culture;*
- *and awareness of being able to act in, and on, society; and*
- *trust in the decision making process.'*

The Justice Portfolio has taken on the role of co-ordinating across State Government activity on the Social Vision. The work undertaken to date has recognised the fundamental importance of building social capital to strengthen the capacity of the Port Augusta community to respond to the significant issues it faces. The project has also recognised the need to address a broader agenda in achieving economic and social wellbeing and responding to concerns about crime and community safety.

This innovative project has achieved many positive outcomes, including:

- extensive community involvement and ownership in developing a local vision and plan;
- establishment of a whole-of-government agency group to respond to the range of issues facing Port Augusta in a more comprehensive, co-ordinated and co-operative way;

- effective communication between State Government agencies, the Council and various community stakeholders;
- breaking down barriers between diverse organisations to address complex issues and progress projects that advance social, economic and environmental well-being; and
- positive changes in public administration and governance, with better networks and greater trust developed among the major players.

Community Safety and Cohesion in Westwood

In December 2001, the Justice Portfolio was approached by the SA Housing Trust (the State's public housing authority) to assist in addressing issues of crime and safety in Westwood. Westwood is a major urban renewal project being carried out by the Housing Trust, a private-sector partner and the local Council over 15 years, involving a substantial reduction in the number of public dwellings. At present, the area comprises some 10,500 people, of whom around two-thirds are from a non-English speaking background, and historically has been characterised by its significant and long-standing disadvantage.

Although addressing crime and community safety issues will be critical in Westwood, the concept of community cohesion is also considered an important element of this. It is also recognised that a substantial whole-of-government effort will be required to address the underlying factors that contribute to offending and anti-social behaviour, for example, by providing enhanced education and employment opportunities, adequate community and family supports. Furthermore, the Portfolio's experience in Port Augusta highlights the importance of working with the Council and of listening to the views and aspirations of the community, in order to garner community support and leadership for the project.

The project is still in its infancy, but is expected to involve:

- developing and progressing a range of initiatives that respond to issues of crime, fear of crime, community safety and justice in Westwood;
- setting up arrangements and processes to facilitate collaborative planning and decision-making among Justice portfolio and other agencies at both the local and strategic levels;
- establishing strong working relationships with the Council, project partners, local businesses and the community in order to build on opportunities for co-ordinated and complementary activities across agencies and sectors;
- facilitating the participation of community members and organisations in identifying and progressing local community-based initiatives;
- developing specific initiatives to address the needs of disadvantaged populations, including indigenous people and people from non-English speaking backgrounds;
- identifying and promoting innovative approaches to community safety and justice, reflecting best-practice examples from Australia and overseas;
- establishing a sound research base to underpin the development and evaluation of community safety and justice initiatives;
- contributing to the development and implementation of a comprehensive and integrated approach to community cohesion and safety in The Parks area.

Community Resilience

The Community Resilience Project, focussing on drug issues, is currently being developed. The project will work with the Aboriginal community in Murray Bridge and involves providing additional support to specific communities to enable disparate agencies, individuals and families to form coherent community groups that aim to:

- ensure integrated approaches are delivered that best meet the needs of the community and promote harm minimisation and treatment among illicit drug users;

- contribute to accurate assessment of community situations to ensure programs and initiatives are based on correct information;
- promote local initiatives based on best practice;
- identify service deficiencies;
- maximise use of resources; and
- create supportive links between communities in order to avoid duplication of effort and promote economies of scale.

Funding has been provided for this project for three years and a local person will be appointed to support the community in this initiative. There will be close links to other drug initiatives, including the Drug Action Team, the Police Illicit Drug Diversion Initiative and related workers in the community.

Courts Consulting the Community

The aim of this program was for the Courts Administration Authority to gain a better understanding of what need to be done to maintain and enhance the level of trust and confidence in the courts in South Australia. The process involved a survey of 1000 South Australian residents, followed by a conference attended by approximately 130 participants chosen to reflect a cross-section of the community, at which the results of the survey were presented and discussed. As a result of the conference, action plans were developed to form the basis of an 'improvement agenda' for the Authority.

Towards Corrections 2020

The Department for Correctional Services is in the final stages of a strategic services planning project, 'Towards Corrections 2020'. The objective of the project is to establish strategies, pathways and resource plans to better achieve criminal and social justice outcomes over the next 10 to 20 years. An advisory group, chaired by the Chief Executive of Justice, and consisting of senior representatives of the community and Justice agencies oversees the work and challenges the Department's thinking and philosophies.

3.3 Major Police Initiatives in South Australia 2000 - 2002

Local Service Area Structure

Fourteen Local Service Area (LSA) models were established within South Australia Police (SAPOL) across the State in February, 1999, as a new streamlined delivery of services, replacing 21 former police divisions. The LSA model has been widely acknowledged as being a dynamic, appropriate and effective medium for the delivery of police services within a defined geographical area. Based on a flattened and integrated management structure (characterised by responsive local services, flexible resource allocation, centralised support and appropriate accountability for a devolved environment), LSAs are provided with specialist assistance/support by the centrally located Crime Service and Operations Support Service.

Although the LSA model promotes autonomy and accountability for achieving safer local communities, the model also provides for LSAs to work together in order to achieve broad community safety outcomes on issues extending beyond individual LSA boundaries.

Problem Solving

Problem solving as an organisational concept enables SAPOL to take pro-active broad-based actions to reduce crime and disorder, rather than rely solely on a traditional, reactionary, one-dimensional approach to crime management. The community prefers crime and disorder problems to be prevented, rather than responded to after the event. Problem solving techniques, used as a key component of everyday operational policing at the local level, means that police work with the community to identify crime management issues, develop and implement appropriate strategies, and evaluate results to improve tactical options.

SAPOL's problem-solving methodology is not restricted to dealing with crime and public order issues, but extends to all SAPOL functions and management practices.

Intelligence-led Policing

Since 1998, policing for South Australia has featured a supportive intelligence-led approach to problem solving that ensures managers have the information needed to deploy the right people, doing the right things in the right way at the right time.

State Intelligence Branch is the central focus of criminal intelligence for South Australia, providing support to the intelligence function within police Local Service Areas (LSAs) and other operational areas of SAPOL. The activity of the Intelligence Section focuses on supporting the operational and management needs of LSAs in a partnership approach to solving problems relating to traffic, public disorder and crime.

A National Intelligence Model has been developed and was considered by the Australian Commissioners of Police in April, 2002. The intention is to identify current and emerging international, national and cross-border crime trends and introduce a nationally-coordinated, planned and directed approach to crime issues.

Priorities

Externally, addressing public-order offences (disorderly/offensive behaviour), anti-social behaviours involving violence (domestic violence, assault and sexual assault), and property crime (serious criminal trespass, arson, vandalism and shop theft), are the SAPOL corporate priority for 2002-4. Illicit drug use is recognised as driving many of these crimes, with an organised strategic response now addressed by the SAPOL Illicit Drug Strategy.

Internally, the organisation holds eight key management areas as essential to quality service delivery. These are service orientation, working together, problem solving, ethics and integrity, valuing our people, resource management, performance management and continuous improvement.

Overall, leadership, problem solving and performance management are SAPOL's corporate priority for 2002-4.

Community Safety Committees

A new SAPOL initiative is the Community Safety Committees (CSC), with a 12-month pilot program at two areas about to commence. In conjunction with the community consultation work already being undertaken by many LSAs, these Committees will seek to establish a consistent and systematic SAPOL approach to communicating with local communities. Involving local communities in identifying and solving community safety issues will strengthen the partnership between SAPOL and local communities in determining local policing priorities, consistent with national and international best practice.

Structuring local community participation in strategic policing problem-solving includes generating support for policing efforts by strengthening the partnership between SAPOL, local communities and agencies, through cooperation and understanding of mutual concerns. This encourages timely decision making by those with a capacity to influence policy making at a high level and also allows input into locally-delivered crime-reduction strategies from those who may otherwise be uncomfortable about approaching police to voice their concerns.

Crime Reduction Initiatives

SAPOL's Crime Reduction Strategy is a five-year plan, introduced in 1998 as a major vehicle for establishing the problem-solving approach to policing. The Crime Reduction Section (CRS) provides a common focus for the practical application of crime-reduction initiatives and relevant accountabilities within SAPOL. CRS has formed partnerships with a range of community committees, including the Australian Crime Prevention Council (SA Branch) and the State Vehicle Theft Reduction Committee.

SAPOL's current and recent key crime reduction initiatives are listed below.

South Australia Police Illicit Drug Strategy

At the State level, the SAPOL Illicit Drug Strategy sets the direction for dealing with both illicit and licit drug issues. Associated drug initiatives include:

- the Drug Action Teams that focus on reducing the impact of drug use within local communities;
- Drug Use Monitoring in Australia (DUMA), a mechanism by which persons held in police custody are interviewed regarding their drug use;
- Operation Atlantic, the Cannabis Hydroponic Phone-In, which resulted in a considerable amount of cannabis as well as some other illicit drugs being removed from the community;
- the Chemical Diversion Desk, which acts as a conduit for the public and chemical industry to report incidents that may be related to precursors or glassware used in the manufacture of illicit drugs, and may therefore lead to the identification of clandestine laboratories; and
- the Police Drug Diversion Initiative which provides a means of diverting those people who are detected in possession of a small amount of cannabis or illicit drug away from the justice system into the health system.

More information on the Drug Action Teams, DUMA and the Police Drug Diversion Initiative is provided in Section 3.7 on Illicit Drugs.

Operation City Safe

City Safe activities were largely directed at behavioural offending associated to some degree with alcohol issues and licensed premises in Adelaide's CBD. Reductions in a number of categories of crime, notably offences associated with motor vehicles, occurred in the CBD over the last six months of 2000.

Crime Stoppers

Crime Stoppers continues to receive strong support from the public and maintains a success rate of about one apprehension per six calls. Operation Article, a stolen property phone-in, resulted in eight arrests, six reports and over \$100,000 worth of stolen property being recovered.

Petrol Sniffing

A Ministerial Task Force was formed to address petrol sniffing in the Anangu Pitjantjara (AP) Lands.

Operation Mantle

Teams operate in the metropolitan Local Service Areas (LSAs) targeting street-level drug dealing, with the aim of reducing crime and harm associated with illicit drugs. Mantle officers also actively encourage habitual illicit drug users to seek assessment and treatment services.

Operation Avatar

This Operation targets the illegal activities of Outlaw Motor Cycle Gangs.

Motor Vehicle Crime

Rigorous promotion of the importance of engine immobilisers has occurred through the 'Immobilise Now!' Scheme.

Police Property Management System (PPMS)

This is an electronic means of matching found and stolen property with police reports and property owners. It will lead to a much improved property matching capability and service to the public.

Domestic Violence

Various programs have been employed to address domestic violence including No Domestic Violence, which focuses on positive police intervention and diversion, and the Rapid Response Initiative, which has resulted in duress alarms being placed in the homes of domestic violence victims. (Refer to Section 3.8 for further information on domestic violence initiatives within the Justice Portfolio.)

Civil forfeiture

SAPOL has forwarded a submission recommending that legislation be introduced in SA to allow a non-conviction based forfeiture regime to be introduced and asset confiscation to be dealt with separately from criminal prosecutions.

Operation Counteract IV

This operation targets armed robberies, with the emphasis on intelligence-led targeting of criminals. An Armed Hold-up Kit that contains a variety of robbery-prevention material and the Business Security and Safety booklet are regularly distributed throughout the SA business community. SAPOL has also been integral in the coordination of a joint national initiative on mobile phone theft.

Fraud Reduction programs

'Fuel pay before purchase' is a three-month trial requiring motorists to pre-pay for fuel during designated hours. It was so successful that service stations continued with the pre-payment after the completion of the pilot period.

Electronic Crime

SAPOL has undertaken a major project examining the issue of electronic crime, and, as a consequence, it was determined to form a specific Electronic Crime Investigation Section.

DNA Project

A DNA Project Team has been established further to develop procedures within SAPOL for the collection and processing of DNA samples and the investigation of DNA matches.

Operation Safe Passage

This operation concentrated on reducing road crash deaths and trauma on a major interstate highway, but also enabled police to detect a variety of criminal offences by drivers, including drug offences.

The Safer Schools Centre

The Safer Schools Centre is a joint venture between the Department of Education, Training and Employment and the South Australian Police to ensure South Australia's schools remain among the world's safest. The Centre, based at Morphett Vale East Primary School, in Adelaide's southern suburbs, is a place where people can go for information and support to maintain safe schools and communities.

The centre brings together the many good things being done to promote safe school environments into a central point for the entire school and broader community to access. Specifically, a catalogue of resource material is being developed to provide easy access to the latest information and developments in the areas of school safety and security. School and community members can take off the shelf, or via the internet, information about a large range of issues that affect schools and young people. The centre includes displays of cutting-edge technologies schools can use to combat problems like vandalism, arson and graffiti. Its focus also extends to school bullying and violence, drugs in schools and other safety issues that are being addressed in schools in many different ways.

A police officer and teacher are based at the Safer Schools Centre to provide advice, conduct school visits and provide someone to talk to about school safety and security.

Police will continue to strengthen ties with their local schools to assist them with security and safety issues. Schools are encouraged to work with local police and support community policing initiatives.

3.4 Strategies to support victims of crime

South Australia has been at the forefront in crime-victim-oriented policy and practice for more than two decades. South Australia was the first Australian state to adopt the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. The State's Declaration is a Cabinet direction to all government agencies that deal with victims of crime, stipulating that "a victim should be treated with courtesy, respect and sympathy; and with due regard to any special need that arises because of the victim's age, sex, race or ethnicity, cultural or linguistic background, or for any other reason."

Review on Victims of Crime

This section provides details of a recent review of victims of crime and the major initiatives to emerge from the findings.

In 1998/1999 a review was conducted on victims of crime, focussing on victims' rights, services for crime victims, victim impact statements and criminal injuries compensation. The review methodology included a literature review, seeking written submissions and a number of semi-structured interviews. In addition, a survey of victims was undertaken.

Overall, the review found that much had been done in South Australia since the 1970s, but particularly over the previous two decades, to improve the position of victims in the criminal justice system and to provide them with support. However, concern was expressed about the lack of adequate services to victims in rural and regional South Australia, victims from culturally and linguistically diverse backgrounds, indigenous victims and victims with a mental or intellectual disability.

The second report on the Review on Victims of Crime presented the findings of a survey of victims of crime. The survey used a structured questionnaire administered over the telephone. Respondents were drawn randomly from two groups of victims, based on whether they had lodged a criminal injuries compensation claim or not. Questions were asked in relation to the effects of crime, access to information, availability of services, victim impact statements and criminal injuries compensation.

The key findings of the survey were:

- Approximately two-thirds of the victims surveyed had suffered a physical injury as a result of crime, with the same proportion claiming to have suffered an emotional or psychological injury. Family stress was suffered by 7% of victims, as were employment difficulties.
- Over two thirds of victims indicated that, at the time of reporting the offence, the police had not given them information on how to avoid becoming a victim again. Although 56% could recall that they had been given the victims' booklet, fewer than half of these victims found it useful.
- However, at all stages of the criminal justice system, more than half of the victims surveyed stated that they received the type of assistance, service, support or counselling that they needed. Just under one half of all victims surveyed stated that they found this assistance to be readily available.
- Just over one-quarter of victims said they were referred for support/counselling. The Victim Support Service (a metropolitan-based centralised service, funded through an annual grant from the SA Attorney-General) was the service cited most often.
- Victims in country areas of the State were less likely than those in the Adelaide metropolitan area to receive the victims' booklet, to be referred to a service for counselling or support, or to be given information on how to avoid becoming a victim again. However, victims in country areas were more likely than victims in the metropolitan area to be told about criminal-injuries compensation.

- Just over 60% of victims surveyed indicated that they had applied for criminal-injuries compensation, with almost half identifying a 'physical injury' as the main reason for the application. Of those that did not apply, just under half stated that they were not aware that compensation might be available.
- Approximately 80% of victims who applied for criminal injuries compensation had been successful in their claim.
- Most victims surveyed indicated that they supported the scope of the existing criminal-injuries compensation scheme.

The Review, in consultations with Aboriginal and non-Aboriginal people, also identified that:

- Aboriginal victims are frequently not aware of their rights as victims and, even when advised of their rights, the information is not available in a style and language suited to them;
- Aboriginal victims are not utilising the existing victim support services because they are generally not seen as sufficiently sensitive to the cultural needs of Aboriginal victims; and
- There is a lack of accessible services for Aboriginal victims in rural areas of the State and available information on existing services is not in an appropriate style and language.

Outcomes of the Review on Victims of Crime

Legislation

The *Victims of Crime Act* 2001 was introduced into the Legislative Council in May, 2001, passed and assented to by November, 2001. It is not operative pending the passing of regulations. Draft regulations are being prepared. The Act:

- enshrines victims' rights in legislation;
- authorises the Attorney-General to establish an advisory committee to advise on practical initiatives that the Government might take in relation to victims of crime;
- authorises the Governor to appoint a suitable person as the Victims of Crime Co-ordinator to advise the Attorney-General on 'marshalling available government resources so they can be applied for the benefits of victims of crime' and other functions assigned by the Attorney-General; and
- amends the law relating to criminal-injuries compensation.

The Ministerial Advisory Committee on Victims of Crime that has functioned for several years is also acknowledged within the Act. The Committee comprises representatives from Justice, Human Services, Education and Training as well as the Victim Support Service and the Law Society.

Country Services for Victims of Crime

As a result of the findings of the review of victims of crime and an extensive analysis of service delivery models in other Australian jurisdictions, funding was provided in 2001 to establish a victim support service in each of five rural regions of the state.

The service is based on a model that emphasises a community-wide collaborative response to victims of crime and that does not unnecessarily duplicate existing services. Each service region employs a part-time coordinator who is responsible for:

- organising a network of volunteers to provide first response to victims of crime;
- developing a network of qualified professional staff who can be engaged on a case-by-case basis to assist victims of crime;
- promoting community awareness of crime, crime prevention and the needs of victims; and

- providing culturally appropriate services to victims of crime.

Each service region provides the following functions:

- client services, including immediate crisis response, referral to other services, support groups, links into court support services and Victim Contact Officers;
- community education and awareness raising;
- development of networks that aim to ensure a range of complementary services for victims; and
- facilitating the implementation of victims' rights.

The expansion of victim support services to rural areas of South Australia commenced in mid-June 2001 and all five services are now operating. The service is currently being evaluated by the Office of Crime Statistics within the Attorney General's Department.

A Victims of Crime Co-ordinator, South Australia web site has been posted - www.voc.sa.gov.au - which provides (among other things):

- information on coping with criminal victimisation, dealing with the media and the operation of the legal process;
- a directory of services for victims of crime and a link to a services map that can be printed;
- information sheets on services for victims and victims' rights in 14 non-English languages and an Aboriginal English sheet (with two Aboriginal languages to be added); and
- the three reports on the Review on Victims of Crime and the Victims of Crime Act.

There are links to a range of services for victims of crime, including a link to the Courts Administration Authority virtual tour of the Sir Samuel Way Court building.

Other outcomes

Recommendations from the review also underpin the following:

- the *Information for Victims of Crime* book has been completed revised;
- an audio version of the book has been prepared for vision-impaired people (copies held by the Royal Society for the Blind);
- the services map (pocket-sized directory) has been distributed to South Australia Police and other front-line service providers;
- the data management system for the criminal injuries compensation scheme has been up-graded;
- a memorandum of understanding between Chief Executives of Justice, Human Services and Education and Training as a framework for the development of partnerships, interagency agreements and protocols was agreed before the 2002 general election. A revised version has been prepared for consideration.

Correctional Services

The Department for Correctional Services has established several positions focused on meeting the needs of victims of crime. A Victims Register enables the Department to engage (those who choose to register) in decisions around placement of prisoners in the system.

Victim conferencing has been initiated as a pilot and is currently under review.

Services for victims of child abuse and domestic violence

Refer to Section 3.5 on Child Abuse/Protection and Section 3.8 on Domestic Violence Initiatives.

3.5 Child Abuse/ Protection

The Justice Portfolio has commenced or has recently completed a number of initiatives dealing with the issues of child abuse and protection.

Development of an Interagency Code of Practice for the interviewing of Children

The Code was developed with the primary aim of reducing the number of interviews across different agencies that children may experience as victims or witnesses.

Provision of interagency training in the code

A comprehensive skills-based interagency training program in the operation of the Code of Practice for the Interviewing of Children is being run through Technical and Further Education (TAFE). The courses involve police, Family and Youth Services, Director of Public Prosecutions, Crown Solicitors Office and hospital-based Child Protection Services.

Vulnerable Child Witnesses

A report into the use of Vulnerable Witness Provisions within the *Evidence Act 1929* in relation to child sexual abuse cases in South Australian Supreme and District Court trials was completed in July, 2001. The report (through the Office of the Director of Public Prosecutions) reviewed the recent use of the provisions and made recommendations for further refinement of the system.

As a result of the report, funding was provided for 1.5 Child Witness Support Officers to be located in the Office of the Director of Public Prosecutions on a pilot basis until June, 2003. An evaluation of the project is currently being developed.

A booklet on court information for children as witnesses has been completed and a video has been produced through the South Australian Film Corporation. An additional booklet is being developed relating to the legal system and associated services.

Inquiry into Child Protection

The South Australian Government has instigated an Inquiry into Child Protection in South Australia. Its Terms of Reference include:

- Delivering a plan to the Minister for Social Justice that provides effective strategies to improve the provision of child-protection services and better outcomes for children, young people and their families;
- Examining the adequacy of criminal-law policy and police procedures in dealing with child abuse;
- Provide advice to government on strategies and systems required to achieve a whole-of-government co-ordinated and integrated response to the protection of children; and
- Provide advice and consider legislation to ensure organisations protect children from sexual and physical violence whilst in their care.

A Justice Advisory Group has been convened to assist in the preparation of a Justice submission to the Inquiry. Six themes have been identified for focus group discussions: prevention support, detection/intervention, Aboriginal community issues, courts & legislation, offenders/sentencing and accountability/review. Focus group meetings are currently underway with a view to preparing submissions to the Inquiry at the end of July.

3.6 Aboriginal Justice Initiatives

The Aboriginal Justice Initiative commenced in South Australia in 2001. The aims of the Initiative are to establish a process for the ongoing involvement of Aboriginal representatives in partnership with the Justice Portfolio and to promote a culture of continuous improvement in the planning, delivery and monitoring of justice services for Aboriginal families and communities.

The Justice Portfolio has made a number of commitments in respect to the Aboriginal Justice Initiative that are having an impact at the community level and across portfolio agencies. Details are outlined below.

Aboriginal Justice Consultative Committee

The Aboriginal Justice Consultative Committee was established by Cabinet in January, 2002. It comprises the Chief Executives of Justice, senior executives from the Department of State Aboriginal Affairs and Department of Human Services (Family & Youth Services), and nine Aboriginal community representatives from ATSIC, Grannies Group, Council of Aboriginal Elders, Anangu Pitjantjatjara, Maralinga Tjarutja, Aboriginal Family Violence Legal Service, Kamungka Aboriginal Youth Service Inc., Aboriginal Women's Statewide Advisory Council and Aboriginal Justice Advocacy Committee. The Chief Justice has also nominated four judicial representatives, who attend Committee meetings in a resource/advisory capacity. The Committee meets quarterly and to date has convened meetings in Adelaide and Ceduna/Koonibba.

The Committee represents a partnership between the Justice Portfolio and Aboriginal stakeholders to improve justice services and ensure fair and just outcomes for Aboriginal peoples. It is a consultative mechanism to provide advice, information and directions on program priorities in the administration of justice, taking into account matters arising from the Royal Commission into Aboriginal Deaths in Custody. The Committee has also acted in an advisory role for the Justice Portfolio's Reconciliation Strategy, development of Regional Justice Plans and a range of current program initiatives detailed below.

Aboriginal Reconciliation

The Aboriginal Justice Consultative Committee launched the Justice Portfolio Reconciliation Statement on 30 May, 2002. The Statement was signed by the Justice Portfolio Leadership Group and witnessed by Aboriginal members of the Committee. The Reconciliation Statement makes an undertaking for the Justice Portfolio to work with Aboriginal and Torres Strait Islander peoples to achieve reconciliation by:

- building the confidence of Aboriginal and Torres Strait Islander communities in justice processes;
- enhancing the safety of Aboriginal and Torres Strait Islander communities;
- reducing crime and its social and economic impact;
- embodying the substance and spirit of the Royal Commission into Aboriginal Deaths in Custody across the Portfolio;
- promoting the unique culture and diversity of Aboriginal and Torres Strait Islander peoples;
- fostering a Portfolio culture that is inclusive of, respectful of, and responsive to Aboriginal and Torres Strait Islander peoples;
- promoting access to justice services;
- strengthening sustainable partnerships between Aboriginal and Torres Strait Islander communities and the Justice Portfolio; and
- reviewing and reporting on the progress towards reconciliation within the Justice Portfolio.

Aboriginal Justice Regional Plans

Engagement of Aboriginal communities and Aboriginal stakeholder groups at a local and regional level in partnership with ATSIC is currently underway in respect to the preparation of Aboriginal Justice Regional Plans. This arises from commitments made at the Ministerial Summit into Indigenous Deaths in Custody of 1997 calling all jurisdictions to prepare Aboriginal Justice Strategic Plans. Work has progressed in Ceduna, Pt Lincoln, Murray Bridge and Pt Augusta. Of note is the development of an indigenous court in Port Augusta, indigenous-design Family Court in Adelaide and the expansion of the Aboriginal Court to Ceduna.

Community Resilience

Refer to Section 3.2 on Building stronger communities through partnership and participation.

Justice of the Peace Review

The Justice of the Peace system has been reviewed to enhance policy, procedural and training arrangements for those persons appointed by the Governor to undertake a range of justice related duties on a voluntary basis. This initiative has raised strategic opportunities for the recruitment of Aboriginal Justices of the Peace to enhance Aboriginal access to justice services. Negotiations are underway on identification of specific roles and requisite training to support Aboriginal uptake of this role.

Aboriginal access to Bail

As part of a broader project to address the high custodial remand rate in South Australia considerable effort has gone into investigating alternatives to custodial remand and improving access to bail. The Justice Portfolio is currently undertaking work to examine the feasibility of establishing an Aboriginal Bail Accommodation Program, which incorporates an Aboriginal Bail Hostel.

Problem Solving Courts

Efforts are also focussed around improving access for Aboriginal defendants to courts such as the Magistrates Court Diversion Program (Mental Impairment) and Drug Court. Work has begun on determining an independent mechanism for monitoring conditions for Aboriginal prisoners with mental impairment issues and the establishment of a Justice Support person program for people with mental impairment. Refer to Section 3.10 on Problem Solving Courts for specific details on these courts.

Indigenous Family Violence

Refer to Section 3.8 on Domestic Violence Initiatives.

Initiatives within South Australian Police (SAPOL)

A SAPOL Aboriginal Cultural Awareness Training Framework has been developed with the main aim to ensure a fair and just outcome for Indigenous Australians through:

- increasing SAPOL members' awareness and understanding of Australian indigenous cultures;
- outlining SAPOL objectives and directions in relation to indigenous Australians; and
- promoting positive behavioral change amongst SAPOL members.

It is anticipated that Aboriginal Cultural Awareness (ACA) training, facilitated by both Aboriginal and non-Aboriginal members of SAPOL, will commence in August/September 2002.

SAPOL's new Aboriginal and Multicultural Unit will have carriage of monitoring Aboriginal projects throughout SAPOL. The Unit is developing a policy, Cultural Acknowledgements, to ensure appropriate acknowledgement by police of Aboriginals and Torres Strait Islanders in respect of identity and their relationships with the land and environment.

Prevention of Aboriginal Deaths in Custody Forum

This Forum continues to meet with the Chief Executive and staff from the Department for Correctional Services (DCS), Aboriginal prisoners and stakeholder groups about every six weeks at a different prison. DCS is also conducting a full review of Case Management and Throughcare to improve rehabilitation outcomes for Aboriginal prisoners and offenders, which is consistent with the *DCS Statement for Reconciliation* and the *RCIADIC*.

Panyappi – Aboriginal Youth Mentoring Project

Refer to Section 3.1 on Crime Prevention Initiatives.

3.7 Illicit Drugs

A key issue to emerge in recent years has been the increased use of drugs and its apparent link with increasing crime rates. The relationship between drugs and crime is a complex one. Research indicates that, in some situations, there is a causal link with people committing offences to support a drug habit or while under the influence of drugs. However, for others, drugs and crime may be part of the one lifestyle and both co-exist without any causal link.

The Justice Portfolio has developed a range of initiatives in this area. Some of these (e.g. DUMA) are designed to improve our understanding of the nature of the link between drugs and crime. Others (such as the Police Illicit Drug Diversion Project and the Drug Court) aim to provide more effective ways for the criminal justice system to respond to offenders who use drugs. Yet other strategies (such as Drug Action Teams) are aimed at building links between Justice and the community to foster local community-based responses to drug use and crime.

These initiatives are described in more detail below.

Justice Portfolio Illicit Drugs Strategy

This Strategy has been developed to ensure that policies and initiatives across all agencies within Justice contribute to improving the health, justice, social and economic outcomes for South Australians. The strategy aligns with the principles, aims and objectives of the National Drug Strategy, the National Illicit Drugs Strategy, the National Drug Strategic Framework, the South Australian Drug Strategic Framework and the National Action Plan on Illicit Drugs. It seeks to ensure that agencies within the Portfolio develop initiatives that are consistent with the principles, aims and objectives of those strategies, frameworks and plans.

Key aspects of the Strategy include:

- **Workforce development:** Under the Illicit Drugs Strategy, the Justice Portfolio is committed to developing the capacity of the workforce to ensure drug problems are identified, timely and appropriate referrals are made, and harm-minimisation principles are supported. Workforce development includes education (e.g. knowledge based) and training (e.g. skills focused) activities and the development and implementation of policies, guidelines and standard operating procedures aimed at guiding and supporting good practice. An audit of current or planned workforce development initiatives that focus on alcohol and other drug-related issues has been undertaken. A working party will be established to implement this component of the Illicit Drug Strategy.
- **Collaborative approach:** There is strong commitment to the continuing development of collaborative working relationships within justice agencies, with other government agencies and community-based organisations to identify and tackle drug-related problems specific to particular regions or population groups and to promote individual and community resilience. (Refer Section 3.2 on Building stronger communities through partnership and participation.)
- **Monitoring and evaluation** of new initiatives established under the strategy to ensure the portfolio is contributing to reducing the harms caused by the use of illicit drugs in South Australia.

Drug Action Teams

The Drug Action Teams (DATs) are locally based inter-sectoral committees co-ordinated by police, with a focus on reducing the impact of drug use within local communities. The teams are based within SAPOL Local Service Areas and, in addition to police, include representatives from local government, education

providers, health and welfare service providers, community corrections officers, youth-sector workers, illicit drug-user groups and community housing organisations. The teams aim to:

- increase the level of integration and coordination between specialist and non-specialist anti-drug activities;
- increase the referral and diversion of illicit drug users into assessment and rehabilitation services, including counselling and treatment;
- identify community resources to reduce drug misuse and other drug-related harm;
- disrupt drug-related activities and alleviate drug-related harm at local levels;
- ensure that people are properly informed, encouraged and supported in their resistances to drug misuse; and
- disseminate information on best practice and develop relationships/partnerships inside and outside the criminal-justice system.

Community Resilience Project

Refer to Section 3.2 on Building stronger communities through partnership and participation.

Police Illicit Drug Diversion Scheme

Under the National Illicit Drug Strategy Police Diversion Framework, South Australia has worked with the Commonwealth on expanding its diversionary responses. Commonwealth funding enabled the development of a program for youth offenders to complement existing juvenile justice diversion strategies and enhance the arrangements already in place under the Drug Aid and Assessment Panels (DAAP).

The SA Police Drug Diversion Initiative commenced in SA on 3 September, 2001, for juveniles and 1 October, 2001, for adults. The Initiative targets illicit drug users early in their involvement with the criminal-justice system and diverts eligible offenders into compulsory drug education or assessment and treatment programs.

All individuals found in possession of an illicit substance (of a quantity for personal use only) and who are eligible for diversion must be diverted. For adults the Initiative builds upon the existing Cannabis Expiation Notice (CEN) scheme by providing educational material with the CEN.

The Initiative involves a series of graduated responses.

People aged 14-17 years:

- receive educational material the first time they are apprehended in possession of cannabis,
- are sent to a brief intervention the second time they are apprehended in possession of cannabis or the first time they are found in possession of another illicit drug
- are sent for assessment the third time they are apprehended in possession of cannabis or the second time they are in possession of another illicit drug (all within a two year period).
- On the fourth or more occasion occurring within the two-year period young people will be referred by police to a formal caution, family conference or Youth Court.

In recognition of the increased vulnerability of very young people, those aged between 10 and 14 are diverted to an assessment with an accredited assessor on the first occasion they are apprehended by police for a possession offence.

Adults are diverted to an assessment on the first and all subsequent occasions they are apprehended in possession of an illicit substance, excluding cannabis. Assessors may elect to constitute a panel of assessors or to include a legal representative if appropriate. There is provision in the Controlled Substances Act S.36(1) for adults to be placed on an undertaking of up to six months.

As at June, 2002, there were 1062 police diversions, 72% of which occurred in the metropolitan area. The most recent figures demonstrate that for young people there were 746 diversions with 727 relating to cannabis use. Of these, the majority (595) were provided with educational material. Only 51 out of the 746 diversions for young people to June, 2002, were re-apprehended a second time.

Drug Court

Refer to Section 3.10 on Problem Solving Courts.

Other proposals

For adults, the real gap in South Australia is in the middle of the continuum for those offenders who have committed offences that are too serious to fall within the diversion strategies but not serious enough to attract a prison sentence that would make them eligible for the Drug Court. Work is currently in progress to assess establishing a Court drug diversion scheme for this middle range of offenders. Similar schemes operate in other states such as the Court Referral and Evaluation for Drug Intervention and Treatment (CREDIT) scheme, as trialed in Victoria, and the Magistrates Early Referral Into Treatment (MERIT) scheme currently operating in New South Wales.

Under the proposed scheme, offenders will gain access to drug rehabilitation treatment immediately after arrest upon the defendant being brought to the Magistrates Court. Treatment would become part of the bail conditions and the offender would be diverted to the health system.

Drug Use Monitoring in Australia (DUMA)

South Australia has recently commenced participation in the national DUMA project. This project, coordinated by the Australian Institute of Criminology, seeks to measure drug use among those people who have been recently apprehended by police. Data from DUMA is used to examine such issues as the relationship between drugs and property and violent crime, monitor patterns of drug use across time and help assess the need for drug treatment across the offender population.

Under DUMA, at a number of sites around Australia, trained local staff conduct quarterly interviews with detainees who have been arrested in the previous 48 hours and are being held in custody. Detainees are also requested to provide a urine specimen, for testing at an independent laboratory. The first round of interviews at the South Australian sites, namely, the Elizabeth police cells and the Adelaide City Watch House, were held in April, 2002, and the data are currently being examined.

DUMA is jointly funded by the Commonwealth and the South Australian governments.

South Australian Drug Summit

As a key priority of the South Australian Government's Social Inclusion Initiative, a Drug Summit was held over five days in June 2002. The major objectives of the Summit were to:

- develop a better understanding of the causes, nature and extent of the illicit drug use, particularly in relation to South Australia;
- consider the views of community representatives and people working in the drug field so the government and the wider community can be better informed about strategies to combat illicit drug use;

- listen to the views of families, young people, Aboriginal people, drug users, people from culturally and linguistically diverse backgrounds, professional treatment and prevention services, academics and researchers, law enforcement officers, school communities and others;
- consider new and innovative ways to tackle the illicit drug use problems in a bi-partisan forum; and
- build community and political consensus about future directions in drug strategies in South Australia and recommend a future course of action for the Government to consider.

Approximately 180 delegates attended the Summit, including approximately 25 Aboriginal representatives from various Aboriginal community organisations and government departments.

The Summit's major focus was on illicit drug use, with particular emphasis on the growing use of amphetamine-type substances. It also considered broad substance use issues in relation to young people and Aboriginal people.

In the weeks leading up to the Summit, 24 community consultations were held across the State with 917 people participating. There was also a call for public submissions, which resulted in 60 individuals and organisations making submissions on the key themes of the Summit. The information received from these processes was summarised and provided to the Summit Delegates.

A key priority of the Summit was the identification of strategies to reintegrate people excluded from society as a result of illicit drug use.

The Summit considered current policy and practice in South Australia aimed at preventing the uptake of illicit drugs and reducing the harmful consequences of use and recommended future directions for the Government to consider.

The Summit provided an insight into the complexity of the problem and its causes, and the need for effective and real solutions; explored innovative approaches to tackling problem drug use; and examined and developed 'whole of community' strategies to support individuals and families including partnership opportunities between all levels of Government and the community.

Recommendations from the Summit are now being considered.

Drug and Alcohol Strategy, Correctional Services

The Department for Correctional Services (DCS) has developed a Drug and Alcohol Strategy aimed at ensuring that the principles of harm minimisation are adopted and duty of care responsibilities are met. To that end, all prison staff receive training in harm minimisation principles and professional staff provide counselling and other appropriate support to prisoners with alcohol and drug-abuse problems.

Specific funding has also been provided for:

- intercepting the supply of drugs into prisons and tougher management of drug dealers in prisons. This includes the appointment of one full-time information collator to work with intelligence analysts in each correctional institution; and
- methadone maintenance, detoxification and counselling in prisons.

3.8 Domestic Violence Initiatives

The Justice Portfolio has demonstrated significant leadership in policy and strategy initiatives to address domestic and indigenous family violence. This includes the development of the Justice Portfolio policy statement and strategic plan, and the development and support of projects of State and national significance, as detailed below.

The Justice Portfolio Domestic Violence Policy Statement and Strategic Plan

Development and implementation of the Justice Portfolio Domestic Violence Policy Statement and Strategic Plan is a joint Justice Strategy Unit and Crime Prevention Unit project. Following extensive research and consultation, a draft policy Statement and plan have been prepared.

Violence Intervention Program (VIP)

The establishment of VIPs was a significant development in the South Australian response to the issue of domestic violence and is in keeping with international developments. Two VIPs currently operate in South Australia. The Northern VIP was established in 1997 and is based in the northern metropolitan region of Adelaide. The Central VIP commenced operations in October, 1999, in the Adelaide Magistrates Court area.

The key feature of the VIPs is the collaborative approach to service delivery by police, Magistrates Courts, Correctional Services and services for women, children and men. The VIPs bring together victim perspectives, programs for perpetrators and responses from the criminal justice system. The Central VIP team, for example, includes a co-ordinator, women's worker, men's worker and children's worker employed through the Salvation Army, plus a court worker and men's worker employed by the Department for Correctional Services.

Key features of the Central VIP are as follows:

- A magistrate presides over a designated Family Violence Court. This court deals with all matters relating to domestic violence-related offending and to applications for restraining orders including domestic-violence restraining orders.
- The women's worker attends the court two afternoons per week to provide support and information to women making applications for domestic violence restraining orders.
- The court worker attends court on two mornings per week and selects men who may be suitable to be assessed for the program. This includes men appearing in relation to both domestic violence restraining order applications and criminal charges.
- Men who have been charged with criminal offences are remanded on bail for two weeks so they can be assessed. Specific conditions of bail include assessment and supervision by the court worker. If the defendant is considered suitable, bail is extended to enable him to participate in a 12 week 'Stopping Violence Group' facilitated by the two men's workers.
- The court regards involvement in the program as a suspension of proceedings rather than being conditional on any outcome of the criminal proceedings. Specific conditions are included in this extended bail period. Failure to adhere to bail conditions results in a breach report being forwarded to the court and to prosecution services.
- The children's worker works with children to assess current and ongoing safety issues and to give children the chance to voice their views and be heard.
- Referrals for assessment for suitability and eligibility are received from three sources: the Adelaide Magistrates Court (Family Violence Court); South Australia Police (Child and Family Investigation Units - Adelaide and Sturt); and Department for Correctional Services. However, priority is given to court referrals.

The Northern VIP operates according to the same principles as the Central VIP, but with some variations to suit different local conditions.

The Violence Intervention Program was the subject of an extensive review that reported in June, 2001. Although it was noted that both VIPs required further development in relation to funding and service agreements, and training and management structures, the Review found that overall they were highly successful, collaborative and innovative programs in reducing domestic violence.

The NDV Project

The NDV Project (End Domestic Violence) was a 12 month trial project from March, 2000, to March, 2001, in two police Local Service Areas, a partnership between South Australia Police and the Crime Prevention Unit within the Attorney General's Department. The project was based on a similar project in Leeds, UK, and aimed to reduce repeat victimisation of domestic violence and to enhance police responses to domestic violence.

The project model required a tiered level of responses to be implemented, depending upon the number of times police were called to a domestic-violence related matter. The tiered response provided support for victims and encouraged their safety, while at the same time giving attention to the perpetrator. The more times police were called to attend, the responses to both victims and perpetrators were strengthened. Liaison between police and local service providers was important during the trial period.

Data collected during the trial period suggest that the project was successful in reducing the number of repeat call outs. Positive feedback was also received from victims and serviced providers involved. Since the conclusion of the trial period, both Local Services Areas involved have continued to apply the model to domestic violence related call outs. A Steering Group has been established by SAPOL to examine the potential for the project to be undertaken in other SAPOL Local Service Areas, where there is substantial interest in implementing such an approach.

The NDV Project is currently being evaluated through the University of Western Australia.

Indigenous Family Violence

The Justice Portfolio has a significant role in initiatives aimed at preventing indigenous family violence, in particular, through its involvement in the Intersectoral Officers Working Group on Indigenous Family Violence (IOWGIFV). The Working Group, which consists of senior officers from key government agencies and representatives from community organisations, has a key role in providing advice to the Ministerial Forum on Domestic Violence. To achieve this, the IOWGIFV:

- organised the national PADV Rekindling Family Relationships - Forum on Indigenous Family Violence in South Australia in April, 2001;
- developed the Framework for Action: Rekindling Family Relationships, 2001-2006 initiative to address indigenous family violence in South Australia; and
- developed an implementation plan for the Framework.

Domestic Violence Prevention Fund

During 2000/2001, the Domestic Violence Prevention Fund Grant Program made \$100,000 available through the Crime Prevention Unit, Attorney General's Department, for up to four early intervention and prevention projects. These projects are developing targeted crime-prevention programs to help children and young people address both the short and long-term effects on them of their experiences of domestic violence within their families. Evaluation and reporting on project and program outcomes is expected to be complete and available by November, 2002. The projects that received funding were:

- *Conflict Management Research Group, University of South Australia.* Using resources developed for work with children affected by domestic violence, this project is evaluating the degree to which use of these resources enhances the coping strategies of 5-12 year old children and families who have experienced domestic violence.
- *Central Eastern Domestic Violence Service, Indigenous Family Violence Intervention and Prevention Program.* This project is addressing indigenous family violence by piloting a peer education program with young indigenous people aged between 13 and 17, within their local community setting.
- *South Eastern Women's Emergency Services Inc.* This country- based project aims to develop further and provide models of effective individual support and interventions for children and young people affected by domestic violence in country communities.

3.9 Juvenile Justice

South Australia has always considered itself a leader in the field of juvenile justice in Australia. In the nineteenth century it was the first state to establish a separate juvenile court and to embrace a welfare approach to the treatment of young offenders. It was also the first to retreat from that welfare model when, in 1979, it legislated in favour of a greater emphasis on due process and just deserts. Then in 1993, as a result of a Parliamentary Select Committee Inquiry, it became the first jurisdiction in Australia to give statutory endorsement to a multi-tiered system of pre-court diversion, incorporating formal police cautioning and family conferencing, with the Youth Court reserved for the most serious offences and recidivists. Many other Australian jurisdictions have since followed South Australia's lead, with both cautioning and conferencing now operating in most states.

Police cautioning

Under the current South Australian system, a young person (aged 10 to 17 inclusive) apprehended by police for trivial offences may be given an informal on-the-spot warning by police. Alternatively, for minor, non-trivial offences, they may be dealt with by way of a formal police caution, which, in addition to an oral warning, may require the young person to enter into an undertaking to apologise to the victim, complete up to 75 hours of community work, or perform any other tasks considered appropriate. In determining the conditions of the undertaking, the police are required to take into account the needs of the victim and to consult with the parents.

Family conferencing

For more serious matters, the young person may be referred to a family conference. Each conference is convened by a specialist Youth Justice Co-ordinator employed by the Courts Administration Authority. Their task is to bring together in an informal and non-threatening setting those people most directly affected by the young person's offending behavior, including parents, victims and individuals drawn from the offender's and the victim's family and community networks. Through a process of discussion and mediation, the aim is to reach consensus about what the young person needs to do to make good the damage caused by the offending behaviour. Again, this may include apologising to the victim, doing work either for the victim or the community, paying restitution or anything else considered appropriate.

Conferencing is underpinned by the paradigm of restorative justice. This assumes that crime is an offence against a victim, rather than the State; that the injury caused by crime impacts not only on that victim, but also on the families of both the victim and the offender, and on their respective communities of care; that these broader injuries can only be resolved by involving all of these protagonists in the decision making process; and finally, that offenders must be given the opportunity to make good the damage they have caused, thereby bringing about reconciliation between victims and offenders, and the restoration of community harmony (Van Ness, 1990). In effect, restorative justice represents a shift from State-centred to community-based justice.

The Youth Court

The most serious offenders or long term recidivists are directed to the Youth Court, which functions as a court of summary jurisdiction but has authority to hear all but a few major indictable offences (namely homicide). If found guilty by the Youth Court, a range of criminal sanctions may be imposed, including detention in a secure-care facility for a maximum of three years, home detention or a suspended sentence. The Court may also fine a young person, require the completion of up to 500 hours of community work, or place him/her on an obligation that may require attendance at programs. The Family and Youth Services within the Department of Human Services is responsible for the administration of South Australia's two detention centres, and also provides a range of programs for young people through its District Centres.

Some statistics

During 2001 there were 8,157 police apprehension reports involving young people, which was 9.3% lower than the 8,992 reports in 2000 and 19.4% lower than the peak of 10,118 recorded in 1995.

For those 7,257 apprehension reports where the type of action taken was recorded, 34.3% resulted in a referral to a formal police caution, and 44.9% were directed to the Youth Court. A further 19.3% were referred to a family conference and 1.5% were withdrawn. These referral patterns were comparable with those recorded in previous years.

In 2001, 1,668 case referrals were finalised by the Family Conference Team. For the majority of these referrals (88.2%), a conference was successfully convened and an agreement was reached.

The Youth Court finalised 2,769 cases in 2001. Of these, 78.0% resulted in at least one charge being proved. The major penalties imposed were:

- obligations (26.4% of the cases where at least one charge was proved);
- fines (19.8% of cases); and
- community service orders (13.0%).

The number of proved cases resulting in a detention order was relatively low (5.8%) and a further 7.6% received a suspended sentence. Of the 125 cases where detention constituted the most serious penalty imposed, the majority (87.2%) involved detention in a secure-care facility and 16 (12.8%) were home detentions.

3.10 Problem Solving Courts

In recent decades there has been a growing awareness of the need to provide alternative methods of criminal justice processing for certain groups. Initially concentrating on alternative approaches for dealing with young people (such as family conferencing), more recently the focus has expanded to include adults. The range of options has spread to encompass strategies such as the use of special interest courts for domestic violence matters, drug-dependent offenders and persons with impaired mental and/or intellectual functioning, as detailed below.

Aboriginal Court Day

This is a day set aside in the Magistrates Court to sentence adult Aboriginal defendants using a procedural model that is more culturally appropriate for Aboriginal people. The Aboriginal Court Day (Nunga Court) has been operating on a fortnightly basis at a metropolitan location (Port Adelaide) since June, 1999.

Key features of the Court are as follows:

- The Aboriginal Court deals only with Aboriginal people who plead guilty to an offence.
- The magistrate sits off the bench, more at eye-level with the offender, in the body of the court.
- An Aboriginal Justice Officer or a senior Aboriginal person sits beside the magistrate, to advise on cultural and community matters.
- The offender sits at the bar table with his/her lawyer and may have a relative sitting with him/her.
- Once the prosecutor and the defence counsel have had their say, the offender, the family and community members, or the victim (if present), have a chance to speak to the magistrate. The magistrate may ask them questions to help him/her in the sentencing process.
- Family and community members are encouraged to attend and tell the magistrate about how they have been affected by the defendant's behaviour.
- Aboriginal justice officers and an Aboriginal court orderly work in the court. They can help the offender, his/her family and members of Aboriginal community if they have queries about the court process or outcomes, for example, payment of fines and conditions of bonds.

At Port Adelaide, the attendance rate for Aboriginal people to the Nunga Court has been over 80% compared with a rate of below 50% for Aboriginal people in other courts. The court has now been extended to the regional centres of Murray Bridge and Port Augusta.

Magistrates Court Diversion Program (MCDP)

The Magistrates Court Diversion Program (MCDP) commenced as a pilot in the Adelaide Magistrates Court in July, 1999, with the aim of ensuring that people with a mental impairment who come before the court have access to appropriate interventions that will assist in addressing their offending behaviour.

Key operational features of the program are as follows:

- Persons with a suspected mental impairment who are charged with summary or certain minor indictable offences can be referred to the program by police, solicitors, case managers, guardians, defendants, magistrates, police prosecutors and mental health services.
- Once referred, a defendant is assessed and, if considered suitable, an individual intervention plan is developed, focussing on a number of issues, such as homelessness, drug or alcohol addiction, as well as mental impairment. After assessment, the client re-appears in the court where the magistrate decides whether the person is suitable for admission to the program.
- During the course of a defendant's involvement with the program, regular review hearings are held where the defendant's progress and compliance is assessed on the basis of the information provided by

program staff. Non-compliance can result in extension or alteration of the program, or, in extreme cases, termination of involvement with the MCDP.

- Finally, at the end of a set time, the defendant returns to court for a final determination hearing. At this hearing the program staff provide a final report detailing the progress of the client while on the program. Frequently charges are withdrawn by police at this point if the offender has engaged in the program successfully. Where charges are not withdrawn, a determination is then made by the magistrate, taking into account the person's commitment (or otherwise) to the agreed intervention plan.
- Participation in the program is entirely voluntary and participants may withdraw at any time.

Subsequent to the evaluation of the MCDP, which reported in 2001, the Program has received on going funding and is being rolled out to other selected suburban and country courts.

Drug Court

South Australia commenced a two-year pilot Drug Court in the Adelaide's Magistrates Court in 2000. The model developed for South Australia was specifically designed as a pre-sentencing alternative with a focus on high-tariff offenders. Offenders are not diverted from the court system, but are given the opportunity to undertake an alternative program that, if successfully completed, will be taken into consideration at the time of sentencing. Eligibility is restricted to adults in the metropolitan area who have committed a drug related offence, are likely to receive a term of imprisonment, plead guilty to the offence and agree to comply with the case-management plan developed for them. Referrals to the program can be made by police, any magistrate from the metropolitan area, legal representatives, prosecution or the defendants themselves.

Offenders accepted into the program have a case-management plan individually designed to meet their requirements. All treatment and support requirements, the need for regular urinalysis and strict supervision by Community Corrections are conditions of bail. Case Managers constantly monitor all participants' progress and regularly report back to the Drug Court Magistrate. Breaches of bail conditions, further use of drugs, or re-offending lead to additional sanctions, including expulsion from the program or imprisonment. An offender is generally required to remain on the program for 12 months.

The pilot in South Australia has been extended and an evaluation is in progress.

Violence Intervention Programs

Refer to Section 3.8 on Domestic Violence Initiatives.

Section 3.11 Alternative sentencing and custodial-remand options

In an effort to reduce the pressure on the custodial system and address recidivism, a number of community-based sentencing alternatives, including alternatives to custodial remand, will be examined by the Justice Strategy Unit within the Justice Portfolio.

Sentencing

This work has emerged from the interest of a range of criminal justice practitioners, to increase the range of sentencing options linked with therapeutic interventions (Refer Section 3.10 Problem Solving Courts) as a means of increasing the overall effectiveness of the criminal justice system in protecting the public and reducing re-offending. Alternative sentencing options implemented in other jurisdictions which could be considered include:

- Front-end home detention;
- Abolition of prison sentences < 3 or 6 months;
- Curfew orders;
- Periodic detention;
- Home detention for those who breach parole;
- Delayed sentencing (Griffith's remand);
- Intensive supervision order; and
- Aboriginal specific options (such as circle sentencing and healing centres)

The best practice literature indicated that these options may reduce repeat offending by:

- imposing tailored community-based sentences on those offenders who pose acceptable risks to the public, and who would have otherwise received short-terms of imprisonment;
- optimising the rehabilitation of offenders through therapeutic intervention; and
- ensuring that prison is reserved for the most appropriate target groups by minimising its use in largely less serious matters or for vulnerable offenders.

The importance of addressing the underlying social issues associated with crime, such as accommodation and employment, is also acknowledged as a key means of achieving sustainable crime prevention outcomes.

Alternatives to custodial remand

High rates of custodial remand in South Australia have contributed to pressure on the custodial system and prompted an interest in alternatives to custody for defendants on remand. Any consideration of alternatives would need to ensure protection for the public, as well as ensuring compliance with conditions of bail and the prevention of re-offending while on bail.

Opportunities for the expansion of current initiatives and the introduction of initiatives in other jurisdictions to decrease time in custodial remand are being explored. These include:

- improved access to bail (e.g. through the provision of experienced legal aid lawyers based in courts who would be able to assess immediately whether the offender should plead guilty without the need to adjourn the matter or, if pleading not guilty, immediately represent them in petitioning for bail);
- expanding the capacity of appropriate agencies to provide timely bail assessment reports;
- bail hostels, where defendants on bail have a limited degree of freedom to continue work or study;
- bail support services programs, as operating in Victoria, where support and supervision are provided to ensure bailees meet their bail obligations and return to court; and
- increasing the use of Supervised Bail and Intensive Supervision Bail.

Conclusion

This submission has detailed the type and extent of crime in South Australia, and presented an overview of innovations recently initiated as a response. These responses include the formation of the Justice Portfolio and the development and implementation of a number of programs and initiatives. Although the projects are diverse and wide-ranging, they are linked through their common aim of ensuring a safe, just and fair community through consultation, collaboration and partnership.