



Australian Government

Attorney-General's Department

**Indigenous Justice and
Legal Assistance Division**

PROGRAM GUIDELINES 2008-09

Law and Justice Advocacy Development

Purpose of Funding

The Attorney-General's Department (AGD) provides funding to advocate for the advancement of the legal rights of Indigenous Australians by promoting effective cooperation, coordination and liaison between Indigenous Australians, State, Territory and Australian governments and other bodies.

The Law and Justice Advocacy Development (LJAD) Program is complemented by other Indigenous Law & Justice Programs, and seeks to support Indigenous Australians in developing policy, law reform projects and delivering community legal education and information.

The AGD encourages partnerships between advocacy organisations and tertiary and research institutions, and government and non-government agencies that assists in the development of clearly articulated and empirically based policy and law reform, including relevant research.

Funding Guidelines

Under the Australian Government *Submission for Funding Indigenous Programmes 2008-09* you will be required to meet the AGD general terms and conditions, as well as any program specific terms and conditions that apply to all projects receiving funding under this program.

The AGD will measure performance of projects funded under this program. This will include a mix of quantitative (output) and qualitative (outcome) indicators and measures. Mandatory indicators are included for each program component. It should be noted that AGD may include additional project specific performance indicators and measures for any funded project, in consultation with service providers. This program does not support legal case work. Organisations whose primary objective is to support Indigenous prisoners are funded under the Prevention, Diversion, Rehabilitation and Restorative Justice Program.

Service providers are expected to ensure that they offer accessible and culturally appropriate services to Indigenous Australians in the specified service region, regardless of gender, sexual preference, family relationship, location, disability, literacy or language.

The AGD is seeking to ensure that publicly funded organisations are accountable, provide the best service possible, make efficient and effective use of available funds, and prioritise risk so that a fairer distribution of resources to the most vulnerable members of the Indigenous community can be achieved. There are two components that may be funded under this program.

(1) JUSTICE ADVOCACY SERVICES

The AGD may provide funding to organisations to undertake Justice Advocacy Services:

- to advocate in accord with the overall objective of the Program Guidelines, including ensuring recognition of the legal rights and supporting the continued improvement of accessibility and equity of services provided to Indigenous Australians
- to liaise with governments and other agencies, and provide Indigenous views on justice issues
- to monitor and report on the State and Territory implementation of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) recommendations and to undertake law reform, including relevant research, that addresses the adverse impact of the criminal justice system with Indigenous Australians, and
- to identify State and Territory laws and policing practices, particularly in relation to incarceration, family violence and the needs of children, that have a disproportionate adverse impact on Indigenous people and communities, and identify ways which change the effects of these laws and policing practices to lessen this impact upon Indigenous Australians.

Organisations that may be funded include Aboriginal Justice Advisory Committees, Secretariats and Deaths in Custody Watch Committees. Funding is not provided under this program component for organisations to conduct legal case work or test cases.

Performance Measures

Mandatory indicators are:

Quantitative (output)

- a report detailing the number of meetings and projects conducted, number of attendees and organisations represented for each project, and
- the number of submissions and representations made to government or other agencies

Qualitative (outcome)

- a report detailing the outcomes reached in each of the meetings and projects
- a description of the ways in which the organisation contributes to ensuring the legal rights and standing of Indigenous people are promoted and recognised through advocacy
- an analytical report on how the reviews or submissions have enhanced the rights of Indigenous Australians, the development of Indigenous Justice Plans and the facilitation, cooperation coordination and liaison between Indigenous people and State and Territory governments, and
- a description of how the organisation has monitored and reported on outcomes against the recommendations contained within the Report of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC).

(2) COMMUNITY LEGAL EDUCATION

The AGD may provide funding, in accord with the overall objective of the Program Guidelines, to support community legal education that provides information and education that advances and protects the rights of Indigenous people under Australian law.

Performance Measures

Mandatory indicators are:

Output (quantitative)

- the number and type of community legal education projects undertaken, and

Outcome (Qualitative)

- a description of how the project advanced and protected the rights of Indigenous Australians through the provision of information and education.