

# Appendix 2:

## Recommendations from the *Social Justice Report 2009*<sup>1</sup>

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In accordance with the functions set out in section 46C(1)(a) of the *Australian Human Rights Commission Act 1986* (Cth), this report includes 4 recommendations on justice reinvestment to reduce Indigenous over-representation in the criminal justice system, 7 recommendations for the protection of Indigenous languages and 1 recommendation for sustaining Aboriginal homeland communities.

### Chapter 2: Justice reinvestment

**Recommendation 1:**

That the Australian Government, through COAG, set criminal justice targets that are integrated into the Closing the Gap agenda.

**Recommendation 2:**

That the Standing Committee of Attorneys General *Working Party* identify justice reinvestment as a priority issue under the National Indigenous Law and Justice Framework, with the aim of conducting pilot projects in targeted communities in the short term.

**Recommendation 3:**

That the Australian Social Inclusion Board, supported by the Social Inclusion Unit, add justice reinvestment as a key strategy in the social inclusion agenda.

**Recommendation 4:**

That all state and territory governments consider justice reinvestment in tandem with their plans to build new prisons. That a percentage of funding that is targeted to prison beds be diverted to trial communities where there are high rates of Indigenous offenders.

<sup>1</sup> T Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2009*, Australian Human Rights Commission (2009), pp xi-xiii. At [http://www.humanrights.gov.au/social\\_justice/sj\\_report/sjreport09/index.html](http://www.humanrights.gov.au/social_justice/sj_report/sjreport09/index.html) (viewed 19 November 2010).

## Chapter 3: Indigenous languages

In order to implement Article 13 of the *UN Declaration on the Rights of Indigenous Peoples* and in recognition that the Australian Government has a strategic role in Indigenous language preservation, that the Australian Government commit to the following:<sup>2</sup>

**Recommendation 5:**

Immediately fund a national working group with the task of establishing a national Indigenous languages body as per the commitment of *Indigenous Languages – A National Approach*.<sup>3</sup>

**Recommendation 6:**

Commit to the development of a national Indigenous languages body with functions and responsibilities similar to those of the Māori Language Commission.

**Recommendation 7:**

Utilise the expertise of the national body to assess the required resources for critically endangered languages and commit these resources immediately.

**Recommendation 8:**

Agree to resource an ongoing plan of action for the preservation and promotion of Indigenous languages as recommended by the national Indigenous languages body.

**Recommendation 9:**

Become a signatory to the *Convention for the Safeguarding of the Intangible Cultural Heritage* (2003).

**Recommendation 10:**

Through the Council of Australian Governments (COAG), develop agreements with all governments to ensure consistency and compliance with Australia's *Indigenous Languages – A National Approach*.

**Recommendation 11:**

Commence a process to recognise Indigenous languages in the preamble of Australia's Constitution with a view to recognising Indigenous languages in the body of the Constitution in future.

2 *UN Declaration on the Rights of Indigenous Peoples* 2007, art 13. 1: Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons. At <http://iwgja.synkron.com/graphics/Synkron-Library/Documents/InternationalProcesses/DraftDeclaration/07-09-13ResolutiontextDeclaration.pdf> (viewed 25 September 2009).

3 Australian Government Department of Environment, Water, Heritage and the Arts, *Indigenous Languages – A National Approach. The importance of Australia's Indigenous languages*. At [http://www.arts.gov.au/indigenous/languages\\_policy](http://www.arts.gov.au/indigenous/languages_policy) (viewed 3 September 2009).

## Chapter 4: Sustaining Aboriginal homeland communities

**Recommendation 12:**

In order to implement the *UN Declaration on the Rights of Indigenous Peoples*, particularly Articles 3, 11, 12, 20 and 21, that the Australian and Northern Territory Governments commit to:

- Review the *Working Future* policy with the active participation of representative leaders from homeland communities
- Develop and implement future homeland policies with the active participation of leaders from homeland communities and
- Provide funding and support for homeland communities in all states and territories through the COAG National Indigenous Reform Agreement and associated National Partnership Agreements.

