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Media Release

Helping Aboriginal defendants through MERIT

The Auditor General, Mr Peter Achterstraat, today called for an expansion of services for Aboriginal defendants in the NSW justice system.

"Aboriginal people are over represented in our justice system. While Aboriginal people make up about two percent of the population of NSW, one in every five inmates in the prison population is an Aboriginal offender. This figure has never been higher," Mr Achterstraat said.

The MERIT (Magistrates Early Referral into Treatment) program is a mainstream drug diversion initiative available to eligible defendants in the local court. The NSW Audit Office has assessed how well MERIT works for Aboriginal defendants in a report '*Helping Aboriginal defendants through MERIT*' which was released today.

"MERIT is a successful program. Overall those who complete MERIT have lower imprisonment rates, lower rates of reoffending and better health outcomes than those who do not complete the program. This helps both the defendant and the community."

"Aboriginal defendants need to have better access to MERIT. Anything that prevents Aboriginal people participating in MERIT should be removed," said Mr Achterstraat.

At most local courts, defendants must have a problem with illicit drugs to be accepted onto the program. Those whose primary problem is alcohol are not eligible.

"Aboriginal defendants are, however, more likely to have a problem with alcohol abuse than illicit drugs. This means they can't access MERIT," Mr Achterstraat added.

And while MERIT is available at 61 local courts, it is not available at a number of courts with very high proportions of Aboriginal defendants.

Mr Achterstraat outlined solutions to this problem. "I am calling for an expansion of MERIT so defendants that have problems with alcohol abuse can also be part of the program.

We need to tailor the program so it meets the needs of both Aboriginal and non-Aboriginal defendants. We need to give Aboriginal defendants the type of treatment they need. And we need to make MERIT available in courts that see a lot of Aboriginal defendants. We need to put the program where the problem is."

Further Information

For further information, a full copy of the report on '*Helping Aboriginal defendants through MERIT*', or to arrange interviews please contact:

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Helping Aboriginal defendants through MERIT - Summary Statistics

Aboriginal people are over-represented in the criminal justice system	
Percentage the NSW population who are Aboriginal people	2%
Percentage of defendants in the local court who are Aboriginal people	14%
Percentage of NSW adult prison population who are Aboriginal people	21%

MERIT achieves good results	
1. Lower rates of reoffending	
Percentage of Aboriginal defendants who complete MERIT who re-offend within 6 months of starting the program	23%
Percentage of Aboriginal defendants who start but do not complete MERIT who re-offend within 6 months of starting the program	50%
2. Lower imprisonment	
Percentage of defendants who complete MERIT who receive a gaol term	4%
Percentage of defendants who start but do not complete MERIT who receive a gaol term	24%
3. Improves participant health	
Percentage of MERIT participants with a very high level of psychological distress at the start of the program	31%
Percentage of MERIT participants with a very high level of psychological distress at the end of the program	10%
Source: NSW Health, <i>The Magistrates Early Referral Into Treatment (MERIT) Program: Health Outcomes</i> , 2007.	
4. Value for money	
Estimated \$ saved for every \$1 invested in MERIT (savings come from reduced gaol time, reduced crime, reduced police investigations and reduced hospitalisation costs)	\$2.98
Source: Northern Rivers University Department of Rural Health, <i>Evaluation of the Lismore MERIT Pilot Program - Final Report</i> , October 2003.	

MERIT could do more to help Aboriginal defendants	
1. Aboriginal defendants may not be able to access MERIT because it is not available where they live	
Examples of local courts with high proportions of Aboriginal defendants where MERIT is not available	Taree, Moree, Narrabri, Bourke
2. Aboriginal defendants are less likely to be accepted onto MERIT	
Percentage of Aboriginal defendants referred to MERIT over the past five years who were accepted onto the program	64%
Percentage of non-Aboriginal defendants referred to MERIT over the past five years who were accepted onto the program	70%
3. Aboriginal defendants are less likely to complete MERIT	
Percentage of Aboriginal defendants accepted into MERIT over the past five years who complete the program	56%
Percentage of non-Aboriginal defendants accepted into MERIT over the past five years who complete the program	67%
4. Court availability	
Number of local courts where MERIT is offered	61 (out of a total of 144)
Percentage of local court cases covered	80%

Locations visited by the Audit	
Campbelltown, Lismore, Bathurst, Orange, Broken Hill, Wilcannia, Dubbo, Penrith, Mt Druitt	