

LET'S TALK...



RECONCILIATION
AUSTRALIA

JUSTICE REINVESTMENT

Let's talk... Justice Reinvestment

15 April 2016 marks the 25th anniversary of the tabling in Federal Parliament of the *Royal Commission into Aboriginal Deaths in Custody* report. This landmark Report highlighted the underlying social, cultural and legal reasons why Aboriginal people were dying in custody.

Today, our nation faces an even deeper crisis than that exposed by the Commission in 1991—in the past 10 years there has been an 88 per cent increase in the number of Aboriginal and Torres Strait Islander people in prison.¹

The Change the Record Campaign is a coalition of leading organisations advocating to close the gap in rates of imprisonment between Aboriginal and Torres Strait Islander Australians and non-Indigenous Australians by 2040. The Campaign is also focused on cutting the disproportionate rates of violence amongst First Australians, with priority strategies for women and children.

Some quick statistics...

- Aboriginal and Torres Strait Islander people are now **13 times** more likely to be imprisoned than non-Indigenous people.²
- Aboriginal and Torres Strait Islander women are **34 times** more likely to be hospitalised as a result of family violence.³
- The *Royal Commission into Aboriginal Deaths in Custody* report made **339** recommendations that concerned procedures for persons in custody, liaison with Aboriginal groups, police education and improved accessibility to information.⁴
- In 2013/14 the cost of operating Australia's **111 prisons** was estimated at **\$3.48 billion**. Reducing the incarceration rate by 1 per cent per annum would **save an estimated \$1.7 billion dollars**.⁵

¹ Australian Bureau of Statistics (2014), *Prisoners in Australia*, Cat. No. 4517.0. Canberra; Australian Bureau of Statistics (2014), *Corrective Services Australia, December Quarter 2014*, Cat no. 4512.0. Canberra.

² Ibid.

³ Productivity Commission (2014), Commonwealth Government, *Overcoming Indigenous Disadvantage Report 2014*.

⁴ <http://www.naa.gov.au/collection/fact-sheets/fs112.aspx>

⁵ <http://www.redcross.org.au/justicereinvest.aspx>

Did you know...?

- The Royal Commission examined the deaths of 99 people who had died in custody between 1 January 1980 and 31 May 1989⁶ and found that too many Aboriginal and Torres Strait Islander people are in custody too often.⁷
- The Royal Commission called for a formal process of reconciliation between Aboriginal people and the broader community, which led to the establishment of the [Council for Aboriginal Reconciliation](#).⁸
- Justice reinvestment approaches are proving to be a powerful way to reduce imprisonment rates. They work by diverting a portion of the funds used for imprisonment to local communities for activities designed to prevent people going to prison in the first place.⁹
- The *United Nations Convention on the Rights of the Child* states that young people should only be placed in detention as a last resort. However, in Australia, the detention rate for Aboriginal and Torres Strait Islander young people is 26 times the rate for non-Indigenous young people.¹⁰

The Change the Record Campaign

The [Change the Record](#) Campaign is a coalition of leading Aboriginal and Torres Strait Islander, human rights, legal and community organisations calling for urgent and coordinated national action to close the gap in imprisonment rates of Aboriginal and Torres Strait Islander people.

The Campaign is also committed to cutting the disproportionate rates of violence experienced by Aboriginal and Torres Strait Islander people, particularly women and children. Sign up to show your support today by visiting:

<https://changetherecord.org.au/get-involved>.



The Change the Record Coalition's [Blueprint for Change](#) reiterates that changing the record on Aboriginal and Torres Strait Islander peoples' imprisonment rates and experience of violence requires federal leadership and a national approach to drive coordinated action across the country.

Investing in communities, not prisons

Evidence clearly demonstrates that strong, healthy communities are the most effective way to prevent crime and make communities safe. Prisons are extremely costly, damaging and ultimately ineffective at reducing crime. Every dollar spent on prisons is one less dollar available to invest in reducing social and economic disadvantage through education, health, disability, housing, employment and other programs. The principle of justice reinvestment is that

⁶ <http://www.naa.gov.au/collection/fact-sheets/fs112.aspx>

⁷ <http://www.deathsincustody.org.au/about>

⁸ <http://www.creativespirits.info/aboriginalculture/law/royal-commission-into-aboriginal-deaths-in-custody#axzz43DtAWHkz>

⁹ <http://www.sbs.com.au/news/article/2015/02/02/how-much-does-it-cost-keep-people-australian-jails>; <http://www.justreinvest.org.au/justice-reinvestment-in-bourke/>

¹⁰ <http://www.amnesty.org.au/indigenous-rights/comments/37328/>

government funding is reinvested into initiatives that address the underlying causes of crime instead of being spent on imprisoning people for low-level criminal activity.

The Maranguka initiative – justice reinvestment in action

Since 2013, Just Reinvest NSW has been working in partnership with [Maranguka](#) to develop a justice reinvestment framework for Bourke in north-west NSW.

The local community has spent a lot of time thinking about how to reduce offending and make the community safer. The government is now implementing a number of cross-sector initiatives or 'circuit breakers' to achieve this, including three justice circuit breakers addressing breaches of bail, outstanding warrants and the need for a learner driver program in Bourke.

Data has also been collected to tell a very big story about a young person's passage through the criminal justice system in Bourke and how the community is fairs in terms of offending, diversion, bail, sentencing and punishment, and re-offending rates. The data collected has been fed back to community members through community conversations held by local facilitators, and community feedback has been provided to the Just Reinvest NSW and Maranguka team.

A watertight case as to why justice reinvestment should be implemented in Bourke to get better outcomes for the community's children and young people will be presented to the NSW Government in May 2016.

Take action...

- Talk to your family and friends about these issues and take the [Change the Record Pledge](#).
- Follow the Change the Record Campaign on social media and help spread the word by connecting on [facebook](#) and [twitter](#).
- [Read](#) about why a justice reinvestment approach is needed in Australia.
- Learn more about justice reinvestment initiatives across the country by visiting the [Australian Justice Reinvestment Project](#) (a national research project), [Smart Justice](#) (VIC), [Tribal Warrior](#) (NSW) and [Just Reinvest](#) (NSW).

Reconciliation Australia would like to thank the Change the Record Coalition, the National Aboriginal & Torres Strait Islander Legal Services and Just Reinvest NSW for their assistance with the development of this factsheet.

Photo credit: Change the Record Campaign