

Indigenous Justice Clearinghouse Forum Justice Reinvestment

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**BUILDING
COMMUNITIES
NOT PRISONS**



I acknowledge and celebrate the First Australians on whose traditional lands we meet and pay our respect to the Elders past, present and emerging.



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About the ACT



opened its first prison in 2010,
named after 19th C prison
reformer Alexander
Maconochie

- AMC's population quickly increased, from about 200 in 2010, to 330 in 2014
- Shane Rattenbury (then Justice Minister, now Attorney-General) convened a roundtable to try to address the issue





in Feb 2019, the ACT Government announced it would not expand the AMC and would instead direct resources to community programs, legislative reforms and policy initiatives



‘the ACT is to be commended for its initiative. This represents the most far-reaching commitment by an Australian government to justice reinvestment. It is significant that the policy is called “Building Communities Not Prisons”...all Australian governments should have the courage to follow the ACT’s lead and invest in communities, not razor wire’.

(Bartels, 2019)

ACT commits to JR



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BUILDING COMMUNITIES NOT PRISONS



While crime rates are going down, incarceration rates are going up. A growing population, together with more awareness around domestic, family and sexual assault are part of the story. More effective policing strategies, reduced rates of bail, social issues like unemployment, poverty and family trauma, particularly among young people, also have an impact.

As imprisonment rates rise, the challenges for housing growing rates of detainees is also going to increase. By building communities, not prisons, we can act to ensure that we support individuals to break the criminal justice cycle and help keep our community safe.

That's where Justice Reinvestment comes in. It is about developing a smarter, more cost-effective approach to improving criminal justice outcomes by reducing crime and diverting offenders, and those at risk of becoming offenders, from the criminal justice system. Our Justice Reinvestment program, 'Building Communities, Not Prisons', includes:

- Prioritising reducing recidivism by funding programs to assist detainees and vulnerable community members to try to remove the need to expand the high security campus at the Alexander Maconochie Centre
- Enhancing the rehabilitation framework at the AMC, including the construction of a purpose-built reintegration centre – delivering up to 80 beds, and increasing the range of rehabilitation programs available to detainees
- Providing more supported housing options for people on bail and exiting detention - a major factor in re-offending
- Providing early support for people living with a mental illness or disability
- Providing more pathways for safe and sustainable bail
- Enhancing community building capabilities.



Restorative practices

Human rights

Trauma-informed

Evidence-informed

Gender-informed

Cultural
integrity

BCNP principles



BCNP JR pillars

Justice accommodation options

Responding to the impacts of drug and alcohol dependence

Early support for people living with a mental illness or disability

Pathways for safe and sustainable bail

Reducing the over-representation of Indigenous people in the justice system

Community-building capabilities

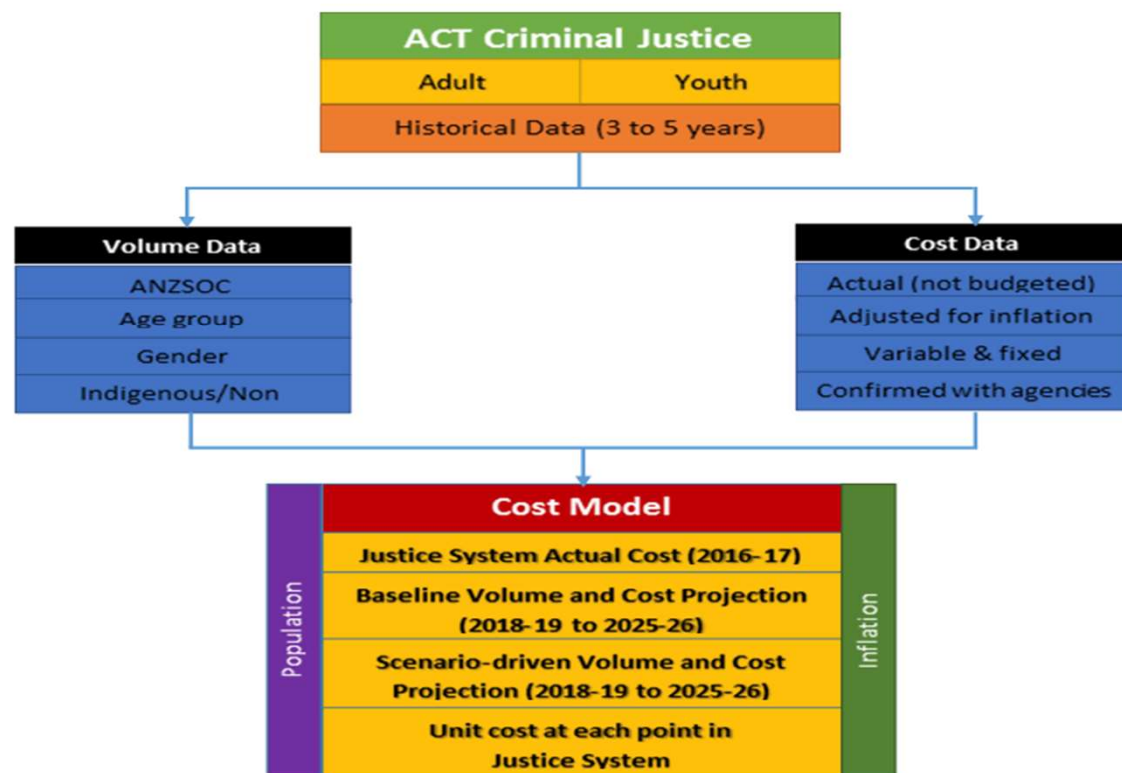


BCNP **pathways**

Place-based

Point in the system

Cohort

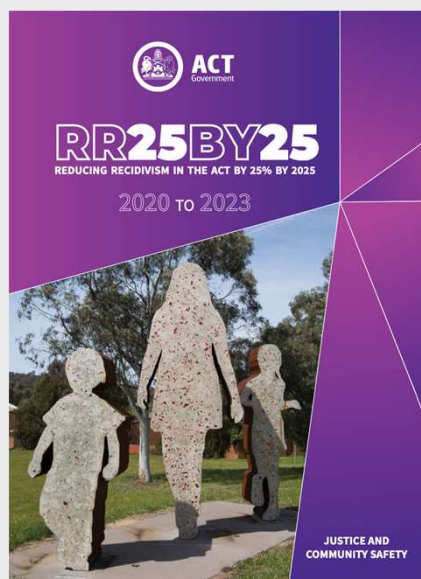


The ACT Justice System Cost Model is part of an ACT specific evidence base under the Justice Reinvestment Strategy. It is an innovative system-wide approach to costing the ACT's justice system from the point of apprehension to detention. This evidence base includes an overall baseline of the costs and drivers of crime for both adults and youths in the justice system and projects those costs into the future (over nine years to 2025/26).

BCNP cost model



Reducing recidivism



Reducing Recidivism
Research Collaboration
(ANU/JACS)

Strong Connected
Neighbourhoods
Program

Yarrabi Bamirr

Ngurrambai Bail
Support Program

Drug and Alcohol Court



Strong Connected Neighbourhoods Program

place-based JR program in operation since 2008

works with high and complex needs residents in public housing who have been or are at risk of being involved in the CJS

provides pro-social community engagement and facilitates access to services

independent evaluation by the AIC ([Morgan et al., 2018](#)) found violent crime incidents reduced by 50%, property crime by 60%, and saved at least \$0.42-0.51 in police time for every \$1 invested

AIC reports
Research Report 06

Reducing crime in public
housing areas through
community development:
An evaluation of the High
Density Housing Program
in the ACT

Anthony Morgan
Rick Brown
Maggie Coughlan
Hayley Boxall
Deanna Davy



Strong Connected Neighbourhoods Program

Yarrabi Bamirr

ACT's first formal JR program, 'Yarrabi Bamirr' means 'walk talk' in Ngunnawal

family-centric support model working with Indigenous families who have experienced trauma, to improve life outcomes and reduce/prevent justice involvement, esp trans-generational offending

delivered by Indigenous organisations, offering intensive case management, using a strengths-based family-centric approach

independent evaluation by the ANU ([Payne & Fogarty, 2019](#)) found it was helping to keep families together, preventing homelessness and keeping people out of prison

The ACT Justice Reinvestment Trial
A process and outcome review of Yarrabi Bamirr at Warragamba

Jason Payne and Marisa Fogarty





Yarrabi Bamirr



Ngurrambai Bail Support Program

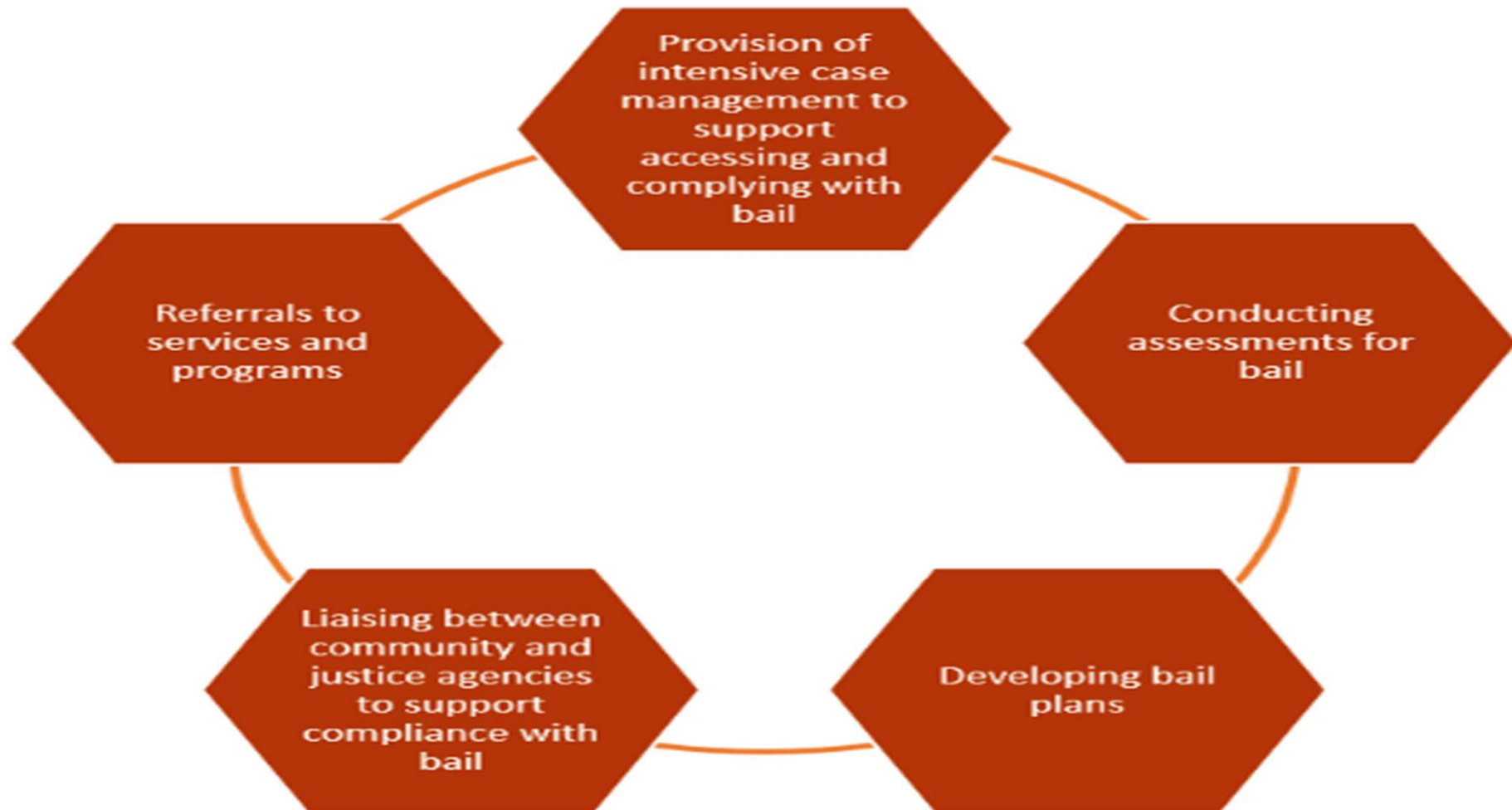
Ngurrambai is the second formal JR program and means 'perceive' in Ngunnawal

commenced in 2018

aims to reduce the number of Indigenous people on remand and reduce the time spent on remand

delivered by Indigenous bail support officers at ALS, who identify needs and set goals, eg housing, health, employment

independent evaluation by the ANU currently underway (final report due in early 2022)



Ngurrambai Bail Support Program

Drug and Alcohol Sentencing List (DASL)

DASL is a specialist list in the Supreme Court, dealing with offences associated with serious drug and alcohol use

commenced at end of 2019

DASL takes a problem-solving approach and the treatment team responsible for supporting participants to develop a pro-social lifestyle

independent evaluation by the ANU currently underway (final report due in early 2022)



Drug and Alcohol Sentencing List



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JUSTICE
REFORM
INITIATIVE

JAILING
IS
FAILING

ABOUT US

OUR PATRONS

JAILING IS FAILING

**We are supported by our patrons
who are eminent Australians,
crossing party political lines.**

READ MORE

Justice Reform Initiative (JRI)



Jailing is failing...

- Aboriginal and Torres Strait Islander people
 - Youth
 - Women
- People with mental illness and cognitive disability
 - Taxpayers
 - The disadvantaged
 - Victims of crime
 - As a deterrent
- In terms of rehabilitation

Justice Reform Initiative (JRI)

AUSTRALIAN CAPITAL TERRITORY - PATRONS

In alphabetical order:

- **Professor Lorana Bartels**, Program Leader of Criminology, Australian National University; Adjunct Professor, University of Canberra and University of Tasmania
- **Emeritus Professor John Braithwaite**, School of Regulation and Global Governance (RegNet), Australian National University
- **Professor Tom Calma AO**, Chancellor, University of Canberra; Co-Chair, Reconciliation Australia (currently on leave to undertake the Co-Chair of the Senior Advisory Group of the Indigenous Voice to Government role); former Aboriginal and Torres Strait Islander Commissioner and Race Discrimination Commissioner
- **Kate Carnell AO**, former Chief Minister of the ACT; Deputy Chair, BeyondBlue; Australian Small Business and Family Enterprise Ombudsman
- **Simon Corbell**, former Deputy Chief Minister, Attorney General, Minister for Police and Emergency Services of the ACT; Adjunct Professor, University of Canberra.
- **Dr Ken Crispin QC**, former ACT Director of Public Prosecutions, Justice of the ACT Supreme Court and President of the ACT Court of Appeal
- **Shane Drumgold SC**, ACT Director of Public Prosecutions
- **Gary Humphries AO**, former Chief Minister of the ACT and Senator representing the ACT in the Australian Parliament
- **Rudi Lammers APM**, former ACT Chief Police Officer
- **Dr Michael Moore AM PhD**, former Independent Minister for Health and Community Care, ACT Legislative Assembly; Past President, World Federation of Public Health Associations; Distinguished Fellow, The George Institute, University of NSW; Adjunct Professor University of Canberra
- **The Honourable Richard Refshauge**, Acting Justice of the ACT Supreme Court; former ACT Director of Public Prosecutions
- **Dr Helen Watchirs OAM**, President, ACT Human Rights Commission

Justice Reform Initiative (JRI)





ACT JRI chapter

Endorsed by: ACTCOSS,
ACT Bar Association, ACT
Law Society, Canberra
Community Law, Canberra
Restorative Community,
Legal Aid ACT, Prisoners Aid
ACT, Women's Health
Matters

Meetings with: Ministers for
Police and Corrections
(ALP), Health and Indigenous
Affairs (ALP), Family
Violence Prevention and
Women (ALP), Justice Health
(Greens); AG (Greens);
Opposition Leader and
Shadow AG (Lib)



Is it
'working'?

- many of the programs are new and evaluations are underway and/or focused on process, not outcomes
- nearly all jurisdictions experienced a fall in their prison populations in 2020 (the COVID effect)

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aus
2018	218	152	228	220	345	152	937	150	221
2019	216	158	226	206	344	158	942	140	220
2020	206	142	228	212	334	154	929	132	212
Jun-21	207	139	250	222	328	150	973	111	215

- ACT and SA were already dropping before 2020
- Vic, WA, Tas and ACT continuing to fall from 2020 to 2021
- ACT rate declined by 26% from 2018 to June 2021 (others fell by 1-9% or increased by up to 10%)

Imprisonment rates, per 100,000 (ABS, 2021)



Next steps

other jurisdictions should also commit to JR as 'business as usual' and build communities, not prisons

