

***Sovereignty***

***Treaty***

***Social Justice***



PO Box 308  
Brunswick  
Vic 3056  
AUSTRALIA  
Phone/fax: 03-  
9388-0062

[www.isja-  
msg.org.au](http://www.isja-msg.org.au)

Indigenous Social Justice Association — Melbourne

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Committee Secretary, Senate Legal and Constitutional Affairs Committee [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

**A submission about better alternatives to a  
justice reinvestment approach to criminal justice in Australia.**

The Indigenous Social Justice Association — Melbourne (ISJA Melb) conducts its work on the land of the Wurundjeri people of the Kulin Nations. We acknowledge the sovereignty of the Indigenous Nations of this continent and advocate treaties with each sovereign nation.

In this submission, we use a range of terms to refer to the people of these nations. These include: *Indigenous; Aboriginal and Torres Strait Islanders; First Nations; and Original Nations*. We use these terms interchangeably.

ISJA Melb was established in January 2005 to organise a Melbourne rally and march as part of a National Day of Action (NDA) to mark the first anniversary of the death of Kamilaroi teenager, TJ Hickey, in Redfern, and to demand a fresh inquiry into the circumstances surrounding his death.

Those organising this NDA held consultations with interested members of the Victorian Aboriginal community. Participants in these consultations enthusiastically supported the proposal for a Melbourne rally to demand justice for TJ. They asked that this not be a one-off event, but part of an ongoing effort to permanently stop Aboriginal deaths in custody.

ISJA Melb is a grassroots, multi-racial activist group — open to both Indigenous and non-Indigenous people — which works collaboratively with others around the country, campaigning to stop Indigenous deaths in custody. ISJA – Melb works in collaboration with those who have lost a loved one in custody and makes its decisions democratically, with all meeting participants having an equal say.

ISJA Melb's primary objective is to stop Aboriginal deaths in custody and support Aboriginal peoples' quest for justice. We recognise that the struggle to end Indigenous deaths in custody cannot be separated from the wider campaign for Indigenous rights. This is why we also work to advance campaigns to recognise the sovereignty of Australia's many Indigenous nations and the negotiation of genuine treaties with these nations and why we oppose the Federal Government's intervention into NT Aboriginal communities.

Given the work of the ISJA Melb centers around Aboriginal deaths in custody, this submission at first concentrates on Aboriginal and Torres Strait Islanders within the justice and prison system

before addressing justice reinvestment and better alternatives.

**• The value of a justice reinvestment approach to criminal justice in Australia, with reference to the over-representation of disadvantaged groups within Australian prisons, including Aboriginal and Torres Strait Islander peoples and people experiencing mental ill-health, cognitive disability and hearing loss:**

The facts speak for themselves: Aboriginal and Torres Strait Islander people are grossly over-represented in Australian prisons.

Australian Bureau of Statistics prison rates, from March 2012, about Aboriginal and Torres Strait Islander prisoners note:

The average daily number of full-time Aboriginal and Torres Strait Islander adult prisoners in Australia in the March quarter 2012 was 7,873, comprising 7,194 (91%) males and 679 (9%) females. Aboriginal and Torres Strait Islander prisoners represented 27% of the total full-time prisoner population in the March quarter 2012. The total Aboriginal and Torres Strait Islander population aged 18 years and over at 30 June 2011 was 2% of the Australian population.

Three states accounted for approximately 73% of the total Aboriginal and Torres Strait Islander prisoner population: New South Wales (2,194), Western Australia (1,910) and Queensland (1,676).

The national average daily Aboriginal and Torres Strait Islander imprisonment rate in the March quarter of 2012 was 2,247 per 100,000 adult Aboriginal and Torres Strait Islander population: an increase of 2% from the March quarter 2011.

The imprisonment rate for males was 4,194 per 100,000 adult male Aboriginal and Torres Strait Islander population. This is 11 times more than the rate for females (380 females per 100,000 adult female Aboriginal and Torres Strait Islander population).

The national age standardised Aboriginal and Torres Strait Islander imprisonment rate from the annual Prisoner Census conducted at June 2011 was 14 times higher (1,868 per 100,000 adult Aboriginal and Torres Strait Islander population) than the rate for non-Indigenous persons (130 per 100,000 adult non-Indigenous population). Further information on the comparison of imprisonment rates between Aboriginal and Torres Strait Islander and non-Indigenous populations can be found in *Prisoners in Australia, 2011* (cat. no. 4517.0), *Source: ABS*

About 50% of all juveniles in prison are of Aboriginal & Torres Strait Islander descent.

There has been an increase of 44% of prisoners (Indigenous and non-Indigenous) within all prisons in the last decade – yet crime has not increased.

The SA Dept of Correctional Service statistics show that, since 2001, there has been a 76% increase of Aboriginal people in prison, compared to 14% for the rest of the population.

Proposed legislation in South Australia will send people to prison for not paying fines.

The proposed Penalty Bill will see a Fines Collection Officer with statutory powers to enact the government policy. *Source: Aboriginal Legal Rights Movement*

WA has the highest Indigenous incarceration rate in Australia, while the Goldfields has the highest rate in WA. Although Indigenous people represent just 3.8% of WA's population, at 30 June 2011 they accounted for 38.5% of WA's adult prisoners.

Indigenous youths are even worse affected, comprising 71% of WA's juvenile detainees in the March 2011 quarter, although representing just 6% of young Western Australians.

*Source: Emma Purdy - published in National Indigenous Times*

Figures from the Australian Institute of Health and Welfare show the national rate of Aboriginal juvenile incarceration has risen to a startling rate of 31 times the non-indigenous rate, up from 27 times in 2008.

In 1994, young Aboriginal people were 17 times more likely than non-Aboriginal juveniles to be incarcerated. *Source: Natasha Robinson 'The Australian', 5 January 2013*

<http://www.theaustralian.com.au/national-affairs/indigenous/black-sentences-soar-as-juvenile-jails-become-a-storing-house/story-fn9hm1pm-1226547889340>

The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) handed down 339 recommendations. ISJA Melb are disgusted that more than a quarter of a century since then Prime Minister Bob Hawke announced its establishment, very few of the recommendations handed down at the conclusion have been implemented. Two of those recommendations not implemented are:

1. **Recommendation Number 87(a)** Police adherence to principle of arrest as a sanction of last resort ;and
2. **Recommendation 92.** Imprisonment as a Last Resort.

*That governments which have not already done so should legislate to enforce the principle that imprisonment should be utilised only as a sanction of last resort* has been largely ignored, as is confirmed by the fact that Original Nations adults and juveniles are currently grossly over-represented in this country's correctional and juvenile justice institutions. Frequently, the reason for their incarceration has been for minor offences, for example non-payment of fines.

Failure to invest in public housing and early intervention has also contributed to an increase in the prison population and recidivism

ISJA Melb believes the issues driving the over representation of Original Nations people in our prisons are complex and multi-layered. Yet the explanation is also brutally simple — **racism!** These unedited quotes from Wei Ling Chua, Gerry Georgatos and Ray Jackson graphically illustrate this point:

**Racism against Indigenous Peoples:** Without prejudice, if we examine the last 200 years of Australia history, racism is persistently an issue we simply unable to deny its existence. Beside the massacre of the indigenous population such as the total wiped out of the Indigenous population in Tasmania; the White Australia Policy; The Stolen Generation; ... etc. The racism against our indigenous peoples did not end here. It continues to flow on to the 21st Century. *Wei Ling Chua, [www.indymedia.org.au](http://www.indymedia.org.au)*

To my surprise I found that Australia had five times the rate of Aboriginal deaths in custody when compared to deaths in custody towards the end of Apartheid South Africa. Even worse, Western Australian had nine times the rate.

*Article by Gerry Georgatos, Tue 29 Jan 2013 as published by Indymedia Australia*  
<http://indymedia.org.au/2013/01/29/the-burning-issue-of-deaths-in-custody-aboriginal-people-die-5-times-the-rate-of-aparthei>

As we all know we are dealing with fractured and feral youth who have lost their own culture and elected to participate in the worst areas of non-aboriginal culture; alcohol and drugs, among other issues. We need to return our youth to their cultural roots and to their

history to wipe out their perceived normal states of rejection and racism. We do not need the police to be involved in any way with this exercise, we can and must do it for ourselves and our children and their children. We continue to scream at the governments that they breed only failure and destruction for our youth and it is way past the time to allow our aboriginal communities and elders to save our own children with no police involvement!!!

Interested parties have for far too many years attempted to properly educate those governments and departments on solutions but they continue to ignore our advice. The ones who suffer of course are Aboriginal youth, not the politicians and bureaucrats. That there is a continuing racist bias by police and most magistrates comes as no surprise. There was a time back in the 90's where cross-cultural awareness training was all the go but it now seems to have faded away. Bring it back, say I. I am not suggesting for one moment that all involved in the system, either as workers or as detainees, can be easily solved but I firmly believe that other methods should be considered, methods involving the elders of the identified communities themselves. *Ray Jackson - President Indigenous Social Justice Association – Sydney*

### • The benefits of, and challenges to, implementing a justice reinvestment approach in Australia

ISJA Melb is unconvinced that justice reinvestment is what is required to address the issue of the ever-increasing prison population. For far too long, successive governments have failed miserably to fund essentials such as public housing, health and education. These have all been under-resourced, as governments have condoned/supported their privatisation. This under-resourcing has impacted negatively across the board, but particularly so when it comes to already disenfranchised and marginalised people, such as our Original Nations' people.

Prisons are *not* the remedy for addressing social issues and problems. The root cause of problems and issues, such as housing, education, health, (including mental health), must be addressed in a meaningful, respectful and culturally appropriate way, taking direction from grassroots community.

Racism casts an ugly pall over the lives of Original Nations people who tell of experiencing ongoing systemic racism in their daily lives. For example from police, shopkeepers, taxi-drivers, real estate agents, etc. People need to feel empowered if they are to function 'properly.'

Tom Calma, AO, (Aboriginal and Torres Strait Islander Social Justice Commissioner 2004-2010, Race Discrimination Commissioner 2004-2009) has been recognised for his public service and work in higher education and Indigenous health. He received an Honorary Doctorate from Curtin University in 2011 and an Honorary Doctorate from Charles Darwin University in 2010. Dr Calma has also served in roles relating to Indigenous and mainstream employment, community development and education. He has commented that : *You can put an individual offender through the best-resourced, most effective rehabilitation program, but if they are returning to a community with few opportunities, their chances of staying out of prison are limited.*

<http://www.creativespirits.info/aboriginalculture/law/reducing-aboriginal-incarceration-rates>



### Housing

#### **The human right to adequate housing.**

As defined by the first Special Rapporteur, “the human right to adequate housing is the right of every woman, man, youth and child to gain and sustain a safe and secure home and community in which to live in peace and

dignity”.

This definition is in line with the core elements of the right to adequate housing as defined by... the International Covenant on Economic, Social and Cultural Rights... According to the Committee, while adequacy is determined in part by social, economic, cultural, climatic, ecological and other factors, it is nevertheless possible to identify certain aspects of the right that must be taken into account for this purpose in any particular context. They include the following: a) Legal security of tenure; b) Availability of services, materials, facilities and infrastructure; c) Affordability; d) Habitability; e) Accessibility; f) Location; and g) Cultural adequacy...

- from [www.ohchr.org](http://www.ohchr.org)

Housing — both public and private — is a huge issue in the lives of both mainstream and Original Nations peoples. Consecutive governments have ignored the need to invest in the provision of public housing and, as a consequence, growing numbers of people have been forced into the private rental market.

Original Nations people frequently experience racism (overt or covert) when seeking to obtain private rental accommodation, but often choose not to discuss those experiences. Instead, as is often the case with incidents of racism they experience, they choose to ‘take it on the chin.’

Ever-increasing numbers of people are victims of the failure to adequately address and fund public housing and are known to be living in overcrowded conditions, couch surfing or homeless.

When the Howard Liberal government implemented the Northern Territory Emergency Response (a.k.a. the Northern Territory Intervention), one of the carrots offered was that more housing was to be delivered to ease the overcrowding so evident in many communities. Almost six years on — with a Labor Government now at the helm — only a small number of houses have been delivered and, in some cases, they have been described by some of the residents as not being appropriate or fit for purpose.

It is essential that any service delivery be based on what communities feel is most appropriate for them and their needs and not simply be based on a top-down approach. History confirms more often than not that a top-down approach does not work — not only does it not work, but all too often large amounts of money manage to find their way into the pockets of a select few people (usually non-Indigenous) along the way.

Such short-sightedness has seen growing numbers of people spending the major proportion of their income — whether that income is social security or wages — on rental.

The growing number of Australians, including Original Australians, who are living in extremely difficult economic and financial circumstances due to the high cost of housing and other day-to-day essentials such as food and energy costs has understandably increased pressure on those charities involved in the distribution of food parcels. Refer to the following link:

<http://www.smh.com.au/national/more-families-get-help-as-food-becomes-discretionary-spend-20120820-24inr.html>

People are often forced to survive the best way they can and, as a result, end up in the criminal justice system.

Communities need support not only when they are identified as being at risk of having a high ratio of offenders. It is well-known that recidivism is a major problem: people who do not have their housing needs addressed adequately and appropriately, often resort to committing crimes post-release, so they have a roof over their heads and be assured of three meals a day.

<http://housingstressed.org.au/2012/06/14/new-report-shows-housing-shortages-and-affordability-worsen/>  
[http://www.coag.gov.au/closing\\_the\\_gap\\_in\\_indigenous\\_disadvantage](http://www.coag.gov.au/closing_the_gap_in_indigenous_disadvantage)  
<http://housingstressed.org.au/category/national-news/>

Homelessness in Australia is on the rise. According to the ABC's Victorian 7:30 program (15th February, 2013) homeless figures have increased from 17,000 to in excess of 22,000 in the last five years. Youth homelessness has increased by 46%.

The ABS has acknowledged it has further work to do to understand and measure homelessness experienced by Aboriginal and Torres Strait Islander people, which goes a long way to explaining the NT's massive homelessness rates.

As subsequent research from the [Australian Institute of Health and Welfare shows](#), these young people will be more likely to be involved in child protection and juvenile justice services, further entrenching their disadvantage.

<http://blogs.crikey.com.au/croakey/2012/11/19/sharp-rise-in-youth-homelessness-shatters-stereotypes/>

This situation causes our group much concern, as it confirms that governments in our so-called 'lucky country' have ignored the plight of homeless people. There are many and varied reasons contributing to homelessness, but it can be said that, with the gap between rich and poor continuing to widen daily, the numbers are going to increase. A massive injection of government money into public housing must occur without further delay – it must not depend, or be reliant in any way on, the implementation of a Justice Reinvestment policy.

## Health

Health, including the areas of mental health and dental health, needs a massive injection of funds. The country's public hospital system is in crisis now, as is the under-funded mental health system.

A large percentage of the prison population suffer from mental health problems and, as if this is not bad enough, many people who did not suffer from such problems when they were initially incarcerated certainly suffer from them when they are released.

Some experts suggest that Aboriginal people go to jail because they are already suffering from serious mental health disorders. This is because *many years of ill-treatment by various Australian governments has resulted in high levels of trauma-related mental health problems*. The following link is illuminating: <http://www.creativespirits.info/aboriginalculture/law/mental-health-at-its-worst-in-prison>

It was deeply distressing for our group to recently hear an Original Nations woman say she faces being forced to re-locate from Katherine to Darwin for treatment and education for her diabetes.

Failed government policy after failed government policy has resulted in a significant number of communities being disempowered and disenfranchised. Disempowerment has led to loss of hope. This is seen as a major contributor to the appalling statistics on the incarceration rates of Original Nations adults and juveniles. Additionally, it is seen to be a major contributor to the alarming epidemic of Original Nations youth suicide. ISJA Melb is aware that there is a serious lack of culturally appropriate drug and alcohol rehabilitation services and also of the desperate need for an increase in mental health services.

The personal nature of problematic drug and alcohol use means that there is no 'one size fits all' approach. Community control is the key. Treatment approaches include: family and community support and involvement; abstinence; cultural support and involvement; harm reduction; controlled drinking; controlled use of other substances; and religious or spiritual support.



People from Australia's Original Nations appear to be under-represented in diversions by courts to drug and alcohol treatment facilities. In 2009–10, out of a total 17,589 referrals from court diversion, 13.7% were for Indigenous people — far lower than the proportion of people incarcerated who are Indigenous. The eligibility criteria for diversion programs have been highlighted previously as a barrier to entry for Indigenous people. While this has been identified and is being addressed, there are still access problems, because of the remote location of Indigenous communities, and a lack of funded places in culturally appropriate treatment programs. In 2009–10, nearly three-quarters of residential treatment and rehabilitation services providing services to Indigenous clients had a waiting list. \*\*\*\*SOURCE\*\*\*\*

Governments (including Ministers for Indigenous Affairs) continue to espouse much in the way of rhetoric, but fail miserably in 'listening to and hearing' what communities need. Communities have been disempowered and disenfranchised by failed policy after failed policy. It is no coincidence that hope is lost once a community or individuals are disempowered. Lack of hope is seen as a major contributor to what are unacceptable statistics when it comes to incarceration and drug and alcohol dependence. The unacceptably high rate of suicide of Original Nations people is a cause of growing concern This link provides insights:

<http://www.creativespirits.info/aboriginalculture/people/aboriginal-suicide-rates#toc0>

The Senate Enquiry should note the following extract taken from that link:

Colonisation and decolonisation has a significant impact on the rates of suicide among Aboriginal peoples as have policies that dominate and change the Aboriginal way of life, such as under the [Northern Territory intervention](#).

Racism is a serious concern. The judicial system (police, lawyers, magistrates and judges) is known to target First Nations children and youth. Many First Nations parents express great concern that police target their children at an early age. This ensures that these children have criminal convictions recorded against their name at that early stage of life. Minor offences, for example riding bicycles while failing to wear a safety helmet, are frequently used to begin the process of ensnaring victims into the criminal justice system for their entire lives.

Justice Reinvestment cannot be seen as a way for governments to fund essentials such as housing, education, health etc. in a meaningful way. It is crucial that programs relating to these essential needs be implemented with full and proper consultation and input of the people and communities involved, with no strings attached. Governments must acknowledge that top-down approaches do not work. The failure to resource housing, education, health and other services adequately and appropriately over the years has had a huge impact on the numbers of Original/First Nations people, including juveniles, currently incarcerated in this country's correctional and juvenile justice centres.

## **Education**

Article 26.

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

It is with the deepest regret that ISJA Melb notes that the Victorian State Government chose to close down the four Koori Pathways Schools and Colleges, formerly Koori Open Door Education (KODE) schools, in Victoria. We understand that one of those colleges, Pakiya College at Swan Hill has been mainstreamed into Swan Hill Secondary College. There have apparently been some programs initiated at some mainstream schools to assist with the education of Original/First Nations students.

While we acknowledge that these supplementary programs are occurring, the fact that the schools/colleges are no longer in existence will impact negatively on children who are in desperate need of the extra nurturing and support such schools/colleges would be able to offer if properly resourced and supported by governments. The earlier in life children see school/education as a positive in their lives the better. Mainstream schooling does not work for some students.

These colleges served an extremely important role, as they engaged students, who for various reasons, were not coping in mainstream educational facilities. There is much concern that particular methods were employed to ensure parents were unable to or discouraged from enrolling their children as students in at least at one of those Pathways Colleges in the time leading up to its closure.

There is a large variety of religious-based schools (i.e. Jewish, Muslim, Catholic, Anglican etc.) for parents to choose from when it comes to selecting a suitable school for their children to attend. ISJA Melb considers it outrageous that our Original/First Nations people have been deprived of having the ability to choose to enrol their children as students at a culturally appropriate school. This would assure nurturing of and support for them, as they hopefully remain in the education system.

An extract from a letter dated 13 February 2013 written by Michael Anderson, Convenor, Sovereign Union of First Nations and Peoples in Australia, to the current Governor-General of Australia, Quentin Bryce, states that:

it appears that all political parties continue to pursue their own political agenda as defined in the 1930s and 1960s that Aboriginal Peoples must be assimilated into a single Australian society observing the same customs and beliefs as all other Australians. But this is absolutely contradictory when we consider the Jews, Catholics and Anglicans who have their own private schools. Moreover, they have their own churches, mosques synagogues and temples where they pray and observe their own religion. As Aboriginal Peoples we are not afforded the same courtesies and respect.

The following links provide further information on not only the importance of those culturally appropriate schools to students, their families and communities and to the broader community but also refer to their closure and the impact of this on all involved: students; prospective students; the families and communities of those students; and the broader community.

[http://www.daretolead.edu.au/PS\\_VIC\\_KODE](http://www.daretolead.edu.au/PS_VIC_KODE)

<http://rightnow.org.au/topics/children-and-youth/koorie-pathways/>

<http://www.abc.net.au/local/stories/2012/04/04/3471198.htm>

<http://www.abc.net.au/news/2012-10-11/state27s-koori-schools-set-to-close/4306654>

<http://www.theage.com.au/victoria/victorias-koori-schools-to-close-by-end-of-year-20121010-27dl3.html>

<http://www.greenleft.org.au/node/50280>

ISJA Melb contends that culturally appropriate housing, health and education is an essential feature



of addressing the over-representation of First Nations people in the prison system. This starts with putting the power in the hands of community. A Justice Reinvestment approach that is *imposed* on Indigenous people is sure to fail to meet its objectives.

• **The implementation and effectiveness of justice reinvestment in other countries, including the United States of America.**

When the ISJA Melb. heard others in the movement advocating a Justice Reinvestment approach, we knew nothing about this concept, so we investigated it. We consulted grassroots activists campaigning against police abuse, racial profiling and the gross over imprisonment of people of colour in the United States of America (U.S.A) to seek their views and we also researched how this model has been used in the U.S.A.

We held a public meeting to discuss our finding. Based on the U.S. experience, we found little to recommend this model.

Firstly, the states where Justice Reinvestment has been embraced tend to be more conservative states that lean towards tougher law and order solutions to social problems.

As a result, the whole model is couched in terms of saving money for tax payers and increasing public safety by investing resources in keeping the worst offenders incarcerated for longer. The general approach is based on risk management: spend on the riskiest, rather than on those who pose a lower risk, to increase public safety.

From our perspective, the whole underpinning premise is wrong. The starting point needs to be addressing social disadvantage and genuinely assisting those experiencing alcohol and drug addiction, unemployment, homelessness, mental illness and disconnection from their community. For the Native American community the question of sovereignty must also be central.

While Justice Reinvestment may deliver some services to assist those who experience multiple disadvantages, this is not the primary purpose of the program. Added to this, all of the funds are not redirected towards these purposes, only a portion of them. Given services for Native Americans, other people of colour, and those experiencing addiction and mental ill-health are so inadequate, the funds “reinvested” for justice projects tend to be token.

Our analysis helped shape an article published in the October 2012 *Freedom Socialist Organiser*, titled “Justice Reinvestment U.S. style: Not a model to emulate.” <http://www.socialism.com/drupal-6.8/?q=node/1742>

It provides concrete examples from the U.S.A. One is:

In Arizona, a JR state, just 40% of what is saved on prisons is reinvested and it is going to a combination victim services, probation risk reduction strategies and substance abuse treatment. In Connecticut 30 million dollars have been saved, but just 13 million reinvested.

The second significant flaw with Justice Reinvestment in the U.S.A is that it does nothing to address the major reason why Indigenous people and other people of colour are so massively over represented in the prison population.

The USA is built on a foundation of systemic racism. It is the biggest jailer on earth, locking up one quarter of the globe’s prisoners. Over 60 percent of all inmates are racial and ethnic minorities.

Blacks, who represent just 13 percent of the U.S. population, are 40 percent of its prisoners.

Police brutality is on the rise and out of control. Violence by the police directed against people of colour, immigrants, and the poor is the status quo. Racial profiling — identifying people as criminal suspects based on their skin tone — is a terrible daily reality.

People of colour communities are also more likely to be caught up in the hysterical “war against drugs.” Differential sentencing laws make penalties much harsher for crack cocaine in people of colour communities than for powder cocaine in affluent white neighborhoods.

The article in the *Freedom Socialist Organiser* argues that Justice Reinvestment (JR):

is a neoliberal cost cutting measure that paves the way for increased repressive measures against some sections of the prison population. Programs funded are designed to enhance social control, and JR delivers very little funding to address the real issues of poverty, unemployment, homelessness and addiction. JR would also do nothing to address over-policing and racist police practice – a key reason why people of colour are over-represented in prison populations in the U.S. and why Indigenous people are over-represented in Australia.

Based on the USA experience, Justice Reinvestment is not a model to emulate. Instead of focusing on savings, the focus must be on measures to tackle systemic racism and a massive injection of no strings attached funding to deliver culturally appropriate services to address disadvantage. The communities they serve must run these programs.

We consider our alternative approach – ie: increased spending on public housing and health - is vastly superior to the justice reinvestment model.

Yours sincerely

The Indigenous Social Justice Association Melbourne Team