



**Australian
Human Rights
Commission**

everyone, everywhere, everyday

Tom Calma
Aboriginal and Torres
Strait Islander Social
Justice Commissioner

.....

31 August 2009

Investing in Indigenous youth and communities to prevent crime

*Indigenous young people, crime and justice
conference*



Over representation is a human rights issue

.....

- Indigenous young people are 28 times more likely to be detained than non-Indigenous young people
- Addressing over representation needs to be part of the Government's commitment to close the gap



Australian
Human Rights
Commission

everyone, everywhere, everyday

What we are doing is not working!

.....



- 27% increase in the Indigenous juvenile detention rate between 2001-2007



Justice reinvestment

.....

- Justice reinvestment diverts a portion of the funds spent on imprisonment to the local communities where there is a high concentration of offenders.
- The money that would have been spent on imprisonment is reinvested in programs and services that address the underlying causes of crime in these communities.



Spending on imprisonment



- \$2.6 billion on adult imprisonment
- Around \$650 million per year on Indigenous adult imprisonment
- Could save \$610 million per year if Indigenous adults were imprisoned at the same rate as non-Indigenous adults





Spending on juvenile justice detention

.....

- No national figures
- Eg. NSW- \$103.266 million on juvenile detention in 2007-2008
- Approximately half of the young people detained in NSW are Indigenous so we can assume in NSW alone nearly \$52 million was spent locking up Indigenous young people.



How does justice reinvestment work?



- ***Step One- Analysis and mapping***
- Identify 'high stakes communities' with a large number of prisoners
- 'Million dollar blocks'



High stakes Indigenous juvenile justice communities



NSW

- Mt Druitt
- Dubbo
- Kempsey
- Bourke
- Wagga Wagga

SA

- Port Augusta
- Ceduna
- Murray Bridge

WA

- Broome
- Carnarvon
- Port Headland

NT

- Darwin
- Alice Springs
- Wadeye



How does justice reinvestment work?

.....

- ***Step 2- Development of options to generate savings and improve local communities***
- Look at where but also why people are being imprisoned
- Eg. quality of community supervision, low parole release rates





How does justice reinvestment work?

.....

- ***Step 3: Quantify savings and reinvest in high stakes communities***
- Eg. Texas- \$241 million reinvested into substance abuse treatment, diversion and accommodation instead of building another jail
- \$10 million for Nurse Family Partnerships program in high stakes communities



New Communities Initiative- Wichita, Kansas

.....

- Program for children of incarcerated parents
- Local job placement agency
- Diverted portions of the city liquor tax revenue to be spent on substance abuse treatment targeting these neighbourhoods
- Expanded the Healthy Babies program
- Reallocated school resources
- Summer program employing young people from these areas to landscape and revitalise their neighbourhoods



How does justice reinvestment work?

.....

- **Step 4: Measure and evaluate impact**
- Kansas-7.5% reduction in their prison population; parole revocation is down by 48%; and the reconviction rate for parolees has dropped by 35%.
- Saving of \$80.2 million over 5 years
- Texas also halted the growth in imprisonment for the first time in years.
- Saving of \$210.5 million in 2008-2009



Oregon juvenile justice

.....

- Devolved funding responsibility for juvenile detention to counties ie. if young people are diverted they have money to spend on prevention and other services, if not they pay the state for detention
- Set up community service schemes
- 72% decrease in the number of young people in detention





Australian
Human Rights
Commission

everyone, everywhere, everyday

Why justice reinvestment can work for Indigenous communities

.....

- Recognises that taking people out of communities through imprisonment weakens the entire community





Why justice reinvestment can work for Indigenous communities



- Communities become the central focus in crime prevention
- Justice reinvestment engages the community and works in partnership to meet needs.
- This is consistent with a human rights based approach set out in the Declaration on the Rights of



Australian
Human Rights
Commission

everyone, everywhere, everyday

Why justice reinvestment can work for Indigenous communities

- Justice reinvestment uses sound analysis to provide all the evidence necessary to make decisions
- Analysis of legal and systemic issues that lead to imprisonment





NSW Bail Legislation

.....

- An example of legislation and implementation that have led to an increase in detention
- Between 2007 and 2008 the number of juveniles held on remand in NSW rose by 32%
- 29% increase in remand costs, from \$36.7 million per year up to \$47.2 million
- **BUT NO REDUCTIONS IN CRIME!**



NSW Bail Legislation

-
- Anecdotal evidence suggests that it is impacting on Indigenous young people more because of:
 - greater use of welfare conditions
 - over policing
 - increased visibility and use of public space



NSW Bail Legislation

.....

- Has led to overcrowding in juvenile detention centres
- Young people in lock down for up to 20 hours a day on occasion
- Cells with no ensuite facilities or access to water
- Limited access to education and other rehabilitative programs



Australian
Human Rights
Commission

everyone, everywhere, everyday

Thank you

.....

- Further information:
- www.humanrights.gov.au/social_justice/index.html

