



SOCIAL REINVESTMENT FOR WESTERN AUSTRALIA



WHO WE ARE

Social Reinvestment WA (SRWA) is an Aboriginal led coalition of fifteen community sector not-for-profits, who have a new vision for justice in WA. Despite representing just 3 % of the population, a legacy of intergenerational trauma from the Stolen Generations, systemic discrimination, socio-economic disadvantage, poverty, and inequality has resulted in the shocking situation where Aboriginal people make up 78 % of the kids, over half the women, and approximately 40 % of men we send to prison. What is worse, WA has the highest level of overrepresentation of Aboriginal people in custody in the nation. SRWA hopes to achieve parity in incarceration rates, proportionate to population, in a generation by ensuring the underlying causes of offending are addressed. We advocate for policies prioritising healthy families, implementing smart justice, and creating safe communities, for all Western Australians. We are co-chaired by Aboriginal and sector leaders, Daniel Morrison and Glenda Kickett.

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A STATE IN CRISIS

In Western Australia, 40% of all adults and 78% of the children we imprison are Aboriginal or Torres Strait Islander people.

THE RATE AT WHICH WE IMPRISON ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN IN WESTERN AUSTRALIA IS GREATER THAN THE NOTORIOUSLY HIGH RATE OF AT WHICH AFRICAN AMERICAN CHILDREN ARE IMPRISONED IN THE US.

The 'average day' incarceration rates for Indigenous children in Australia and WA were 37 per 10,000 and 76 per 10,000 respectively in 2013-14. Black children in the United States were detained at a rate of 52 per 10,000 in 2011, the most recent data available - lower than the WA rate.

Currently, in Western Australia, people who do not pay their court-imposed fines may be imprisoned at a cut-out rate of \$250 per day. What this means is that for every day spent in prison, \$250 worth of unpaid fines is written off. The amount of the fine is never recouped. Alarming, this option costs taxpayers \$345 per day. It has been estimated that the total cost of imprisoning fine defaulters in 2013 would have been approximately \$4 million

for vulnerable and disadvantaged people the failure to pay outstanding fines is rarely a choice. Instead, it is typically the result of poverty, mental and/or physical illness, disadvantage and other complex life circumstances such as family violence and substance abuse. Imprisonment is highly likely to cause further disadvantage and trauma such as risks to physical and mental health including death (either directly from imprisonment or from being transported long distances in custody); negative associations within the prison environment; disruption to family and children; and the possibility of children being removed by child protection authorities. The option of imprisonment does nothing to address the underlying problems or prevent offending.

It is incongruous that Western Australia imprisons vulnerable and disadvantaged people who cannot pay fines at such an enormous expense without any tangible benefits in terms of community safety. Furthermore, the number of Aboriginal people in Western Australia imprisoned for fine default has increased by 480% between 2008 and 2013.



"WA simply cannot afford our current justice system. The ever-increasing cost of prison growth is unsustainable"

PRISON AND THE BUDGET BOTTOM LINE

Treasury has costed our state debt as a deficit of \$3 billion, projected to balloon to \$41 billion by the end of the decade. WA is in a dire financial situation. Treasury has recently explained that government revenue will be far less than previously expected; the state deficit is likely to be \$1.1 billion by 2019-2020; and state debt is projected to reach \$42 billion by 2020.

In March 2017, there were 6,776 adults in our prison system at a cost of approximately \$307 a day for each prisoner and this number continues to rise. From March 2016 until March 2017 the adult prisoner population increased by 719 (an increase of 12%). In the five-year period from March 2012 to March 2017 the number of adult prisoners in Western Australian prisons increased by 1,812 (an increase of 36%). The number of prisoners has almost doubled in the last decade. According to OICS in 2016, the current model suggests facilities are already housing prisoners at a rate of 148% of maximum operating capacity.

Our prison system costs an estimated **\$759,284,680 every year**. Any new prison will cost at least \$600 million to build. Furthermore, the juvenile detention system costs \$48,469,801 each year (cost per detainee is \$991 per day and as at March 2017 there were 134 juveniles in detention). WA simply cannot afford our current justice system. The ever-increasing cost of prison growth is unsustainable.

But there is a Solution.

Justice Reinvestment Strategies Work.



Photo Credit: Anthony Stewart, ABC News, 2016

TEXAS

WHAT HAPPENED?

Texas once earned its reputation as a tough-on-crime state through harsh sentences; abusive and, sometimes, deadly prison conditions; proud use of the death penalty; and a direct legacy of slavery (Perkinson, 2010). Between 1968 and 1978, the Texas state population grew by 19%, but the prison population increased by 101%, reaching 22,439 in 1978. All told, between 1980 and 2004, Texas built 94 state prisons and increased the number of people it incarcerated by 566% (Perkinson, 2010). The Texas corrections budget increased from \$600 million in 1985 to \$2.4 billion in 2005 (ACLU, 2007), as the number of people the State incarcerated climbed to 159,255 (Bureau of Justice Statistics, 2005). In 1997, the House Research Organization stated that growth in incarceration was caused by “a burgeoning state population; more punitive policies toward offenders, especially for violent crimes; tighter restrictions on parole, including longer minimum periods behind bars before parole eligibility and tougher policies for granting time off sentences for good conduct; and a stepped-up ‘war on drugs’”.

As incarceration increased in Texas, overcrowding of prisons and budget shortfalls were experienced. After a deep analysis and projection, **Texas decided to embark on a journey of Justice Re-investment aiming at cutting down crime and saving money.** By collaborating with the Council of State Governments Justice Center, state officials developed plans to address the crisis. Consequently, a budget that proposed expansion of community strengthening, diversion, and greater rehabilitative treatment in the prisons and parole systems was adopted by the legislature. The Governor approved the budget, which translated into a net saving of \$443.9 million. Justice reinvestment was significantly cheaper than building more prison facilities. **Justice Reinvestment strategies work.**

WE HAVE PROGRAMS HERE IN WA, THAT ARE ALREADY PROVEN TO WORK.

The Fairbridge Bindjareb Project provides Aboriginal and Torres Strait Islander people in custody with mining industry training and ‘real guaranteed jobs’. It also includes an ‘intensive lifestyle development program’ and focuses on reconnection to and respect of Aboriginal culture. A preliminary review found overwhelmingly positive outcomes including that only 18% of participants returned to prison within two years of being released (and only 4% for new offences), compared to 40% for the general prison population recidivism rates. Furthermore, 73% of participants had successfully gained and retained full time employment at the time of review, (7 months post conclusion of the program.) An independent analysis suggests the cost savings to government for the first five intakes of the project is approximately \$2.9 million (Deloitte Access Economics, 2016) .



*"Closing the Gap
on Indigenous
Incarceration will
save almost
\$19 billion by
2040."*

PREVENTION AND REHABILITATION CREATE LONG TERM GAINS.

Social Reinvestment responds to the evidence that prisons are not effective or efficient deterrents and do not properly rehabilitate. Of the people who have completed a prison sentence, we will send approximately 40 percent back within two years. For Aboriginal and Torres Strait Islander people the position is even worse, with the recidivism rate for Aboriginal men being 70 percent, and 55 percent for Aboriginal women. The overwhelming majority of people who we send to prison will eventually return to the community, so strategies other than imprisonment are needed. We need to identify, and work together to solve, the social and economic causes of crime, rather than just reacting to criminal behaviour.

A 2017 Report by PWC Consulting in partnership with Change the Record and Richmond Football Club found that closing the gap on Aboriginal Incarceration will save almost \$19 billion dollars nationally by 2040.

Under a Social Reinvestment approach, the enormous resources currently wasted on a failing prison system are freed up to be spent on improving the wellbeing of people, families, and communities. Social Reinvestment strategies work to improve opportunities, health, and education in at risk communities, and allow people to rebuild their lives after their sentence, so they can contribute to their community.



RIGHT NOW WE HAVE A ONCE IN A GENERATION OPPORTUNITY

20 years ago the Royal Commission into Aboriginal Deaths in Custody found that underlying issues behind the over-representation of the Aboriginal men, women and juveniles in the justice system included unemployment, poverty, the inability to pay fines, poor health (particularly mental health), lack of education, alcoholism and drug addiction, race discrimination, homelessness, as well as police practices, prison procedures and judicial processes. RCIADIC recognised that **only through addressing the underlying causes for the high representation, would there be any long term reduction in the levels of over-representation.**

We know that crime is caused by a multitude of disadvantages, and we cannot combat them independently. Poor education outcomes caused by hearing impairment has been linked to criminal behaviour; for example, an investigation of 44 Aboriginal prisoners in Darwin found that more than 90% had a significant hearing loss (Burns & Thomson, 2013).

“Noah, an Aboriginal child in a remote community, is born with ear disease. When he starts school, he can’t properly hear the teacher’s instructions, so he falls behind in work. He is afraid to speak up and ask for help. He starts to feel stupid, and isolated from his peers. As he gets older and falls further and further behind with no hearing aid, he is held back a class in Year 8. Not hearing instructions or information properly makes Noah bored in class, his teachers and classmates think he is a troublemaker and very disruptive. Noah starts skipping school, because “what’s the point anyway?” Despite attending no more than half of Year 9, Noah leaves school in Year 10. With little education, and few job prospects, he starts breaking into houses with a few older boys to make some cash to get by. He is eventually caught and is sent to a juvenile detention facility.”

**We cannot work in silos.
Fixing justice issues requires
whole-of-government solutions.**



WE NEED TO WORK FOR HEALTHY FAMILIES

We know that disadvantage is one of the main drivers of contact with the justice system, for both victims and offenders. By supporting families and addressing disadvantage, we can improve community safety and wellbeing.

WE NEED TO PRACTISE SMART JUSTICE

Our current approach is failing all Western Australians. It is economically and socially costly, outdated and flawed. The evidence shows that there is a smarter way. Other states and countries have achieved a dramatic decrease in crime and in the amount of people being sent to prison by adopting a new approach. Instead of choosing to spend more and more of our money on cramming people into prisons, we too can become smarter. If we redirect investment into addressing local issues that lead to crime, we will get results.

WE NEED TO CREATE SAFE COMMUNITIES

Social Reinvestment is a win-win. The current 'tough on crime' approach is failing to make communities safer. By getting smarter and focusing on supporting families and communities, and supporting members of our community who are returning from prison, we will increase community safety. We can be tough on the causes of crime.



WHAT CAN YOU DO?

Social Reinvestment solutions to tackling the crisis of Aboriginal overrepresentation in prison and in child protection, require a holistic approach. We all need to work together to close the gap in the justice and child protection sectors.

We believe in your role as member of WA's community you can be key in making a difference in this area. Your work can change the record on Aboriginal incarceration, and change the story for future generations to come.

Social Reinvestment WA has identified priorities for reform by undertaking extensive research; analysing available data; and by drawing on our members' professional expertise and experience of working within the justice system, in the community sector, and with Aboriginal people. We believe a whole system approach is needed to address the underlying causes of offending. The elements of implementing the framework, in short, are:

1. supporting families early to address the underlying issues that can lead to crime;
2. diverting people who are in trouble with the law into support programs that will stop them from further offending;
3. assisting people who are imprisoned or transitioning out of prison to reintegrate into the community;
4. reforming laws that unfairly target minority groups;
5. prioritising cultural, social, and emotional wellbeing in all responses.

We want to talk to you about the concrete building blocks of Social Reinvestment, the framework, the policies. And how you can lay the foundations of Healthy Families, Smart Justice and Safe Communities in your work.

Social Reinvestment strategies make economic and social sense; are better for all of us, better for families, and better for communities.

JOIN US, LET'S WORK TOGETHER FOR AN EFFECTIVE AND CONNECTED APPROACH TO JUSTICE.

WHO WE ARE



FIRST NATIONS DEATHS IN CUSTODY WATCH COMMITTEE

