

# JUSTICE REINVESTMENT

Origins, objectives & guidelines for authentic implementation.

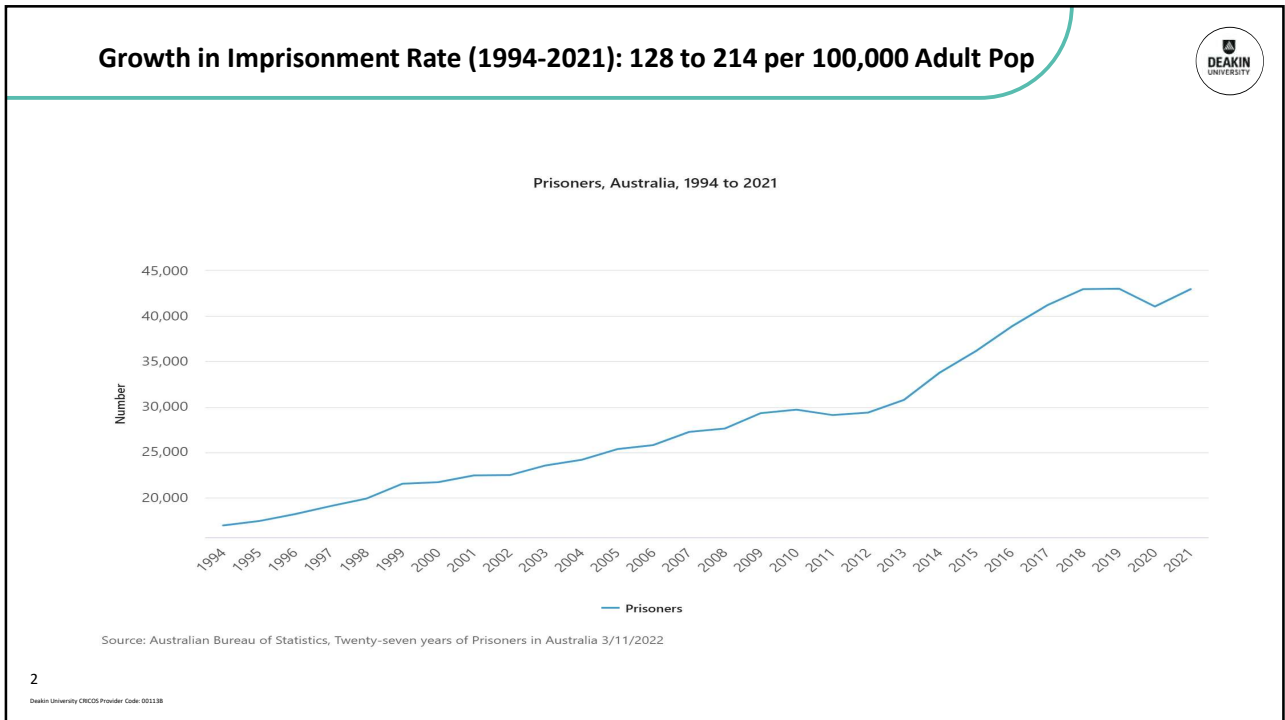
Peter Norden AO FANZSOC  
ANZSOC Conference  
University of Canterbury, N.Z.  
4 – 6 December 2024





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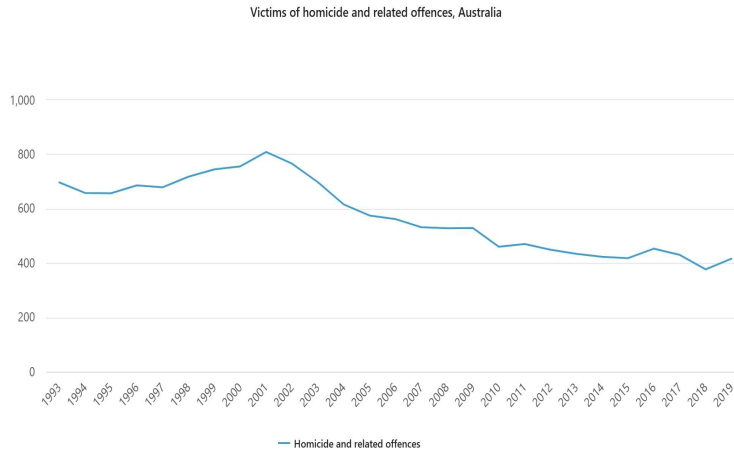
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**Victims of homicide and related offences, Australia (1993 – 2019)**  
 Rate ranged down from about 4 per 100,000 to about 2 per 100,000.



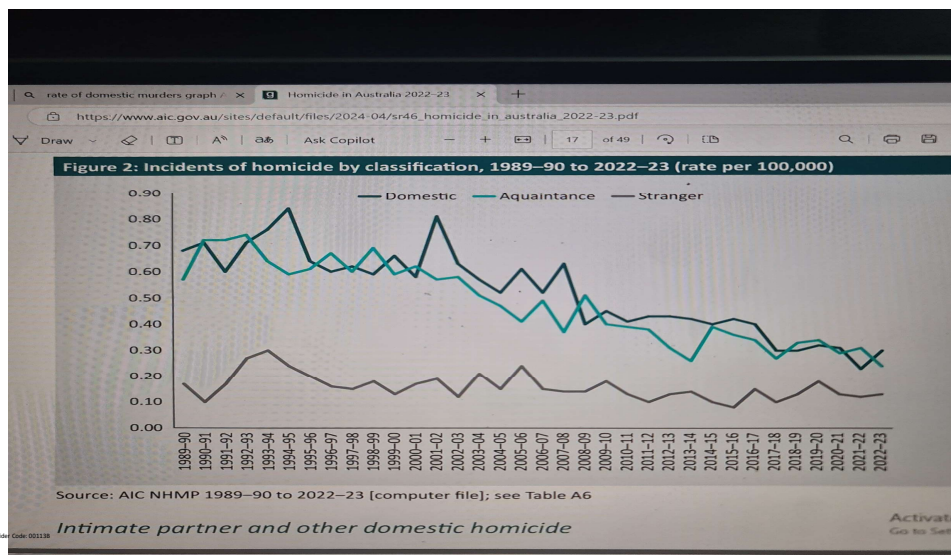
Source: Australian Bureau of Statistics, 27 years of Recorded Crime – Victims data 16/09/2020

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**Rate of Homicide: Domestic, Acquaintance, Stranger 1989 – 2023**  
 The victimization rate for all homicides has halved over last 20 years.

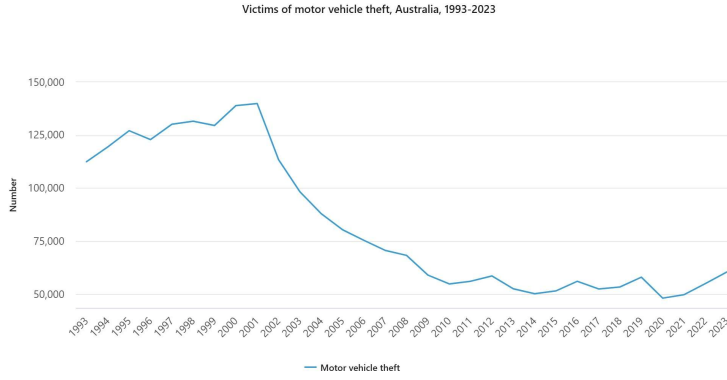


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**Victims of Motor Vehicle Theft, Australia: 1993 – 2023**  
**Declined by almost half (48%) over 27 years (125,000 to 58,021 victims)**

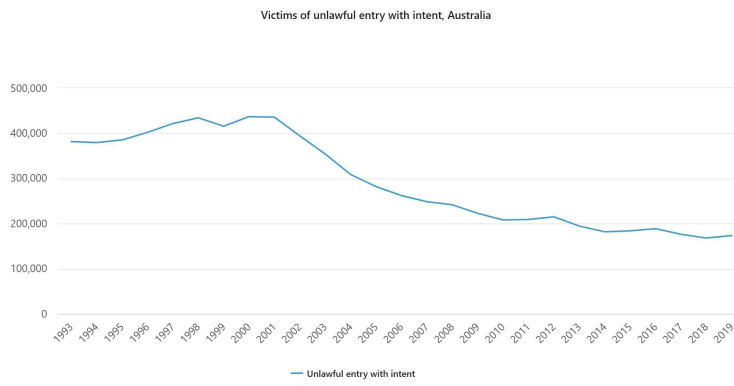


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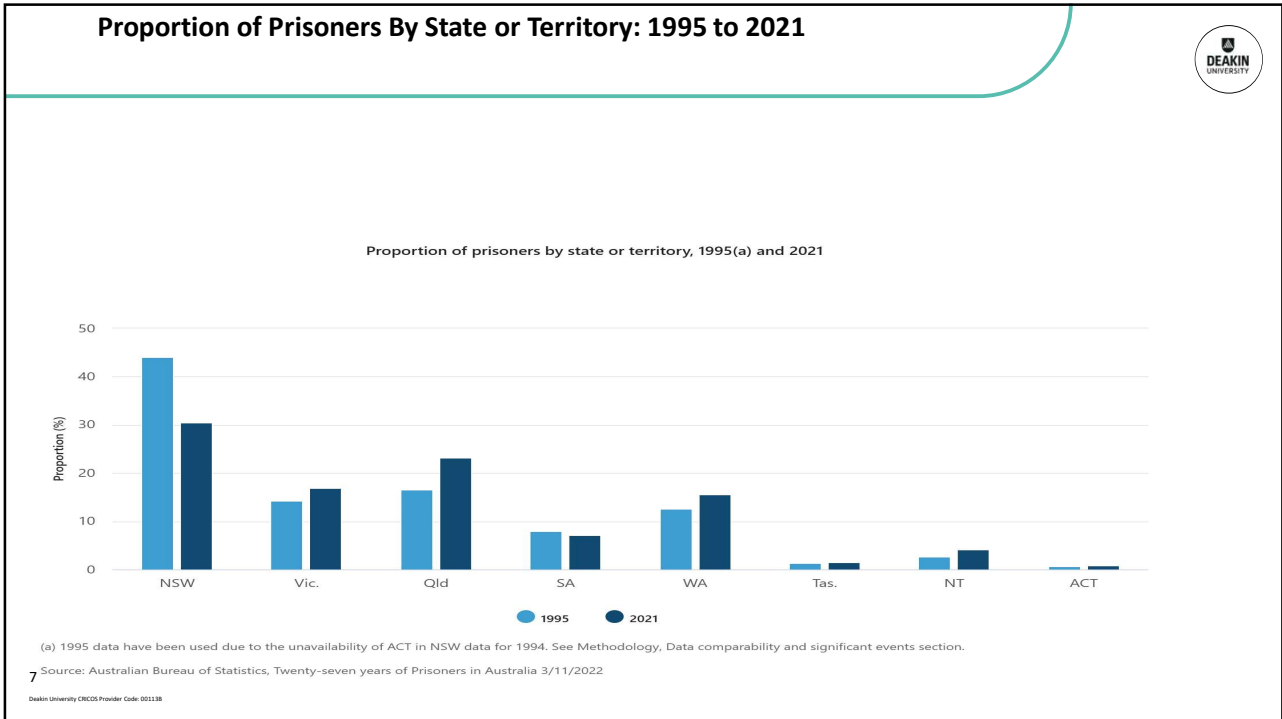
**Victims of unlawful entry with intent, Australia (1993 – 2019)**  
**Over 27 years, number more than halved (down 55%) 400,000 to 173,344**



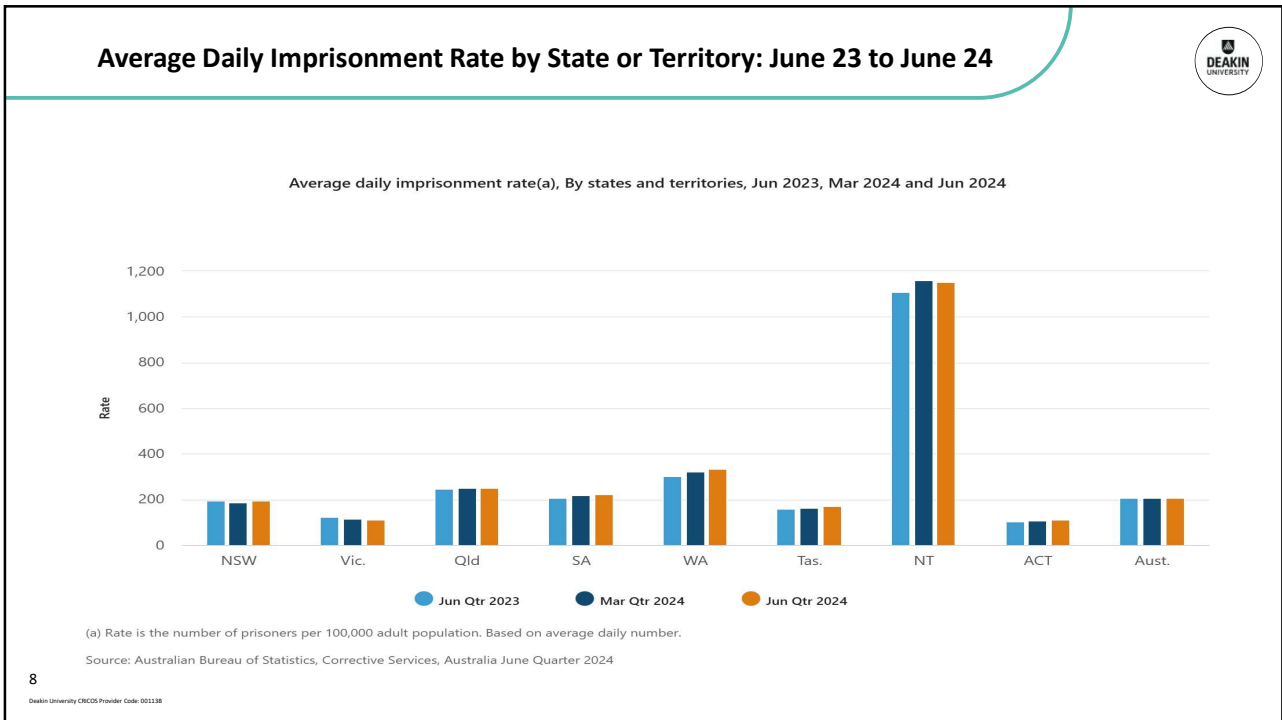
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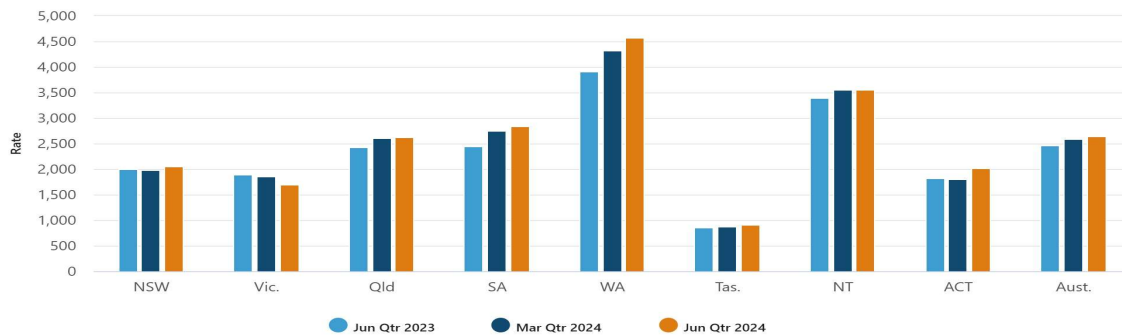


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## Aboriginal & Torres Strait Islander Imprisonment Rate by State/Territory



Aboriginal and Torres Strait Islander imprisonment rate(a), By states and territories, Jun 2023, Mar 2024 and Jun 2024



(a) Rate is the number of prisoners per 100,000 adult Aboriginal and Torres Strait Islander population. Based on average daily number.

Source: Australian Bureau of Statistics, Corrective Services, Australia June Quarter 2024

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## What then is the ESSENTIAL GOAL for Justice Reinvestment in response to the rapid growth in imprisonment rates in Australia?



The essential goal for JR is that prison rates from the most disadvantaged communities (both Indigenous and non-Indigenous) are decreased with a diversion of funds towards addressing the essential needs in those communities:

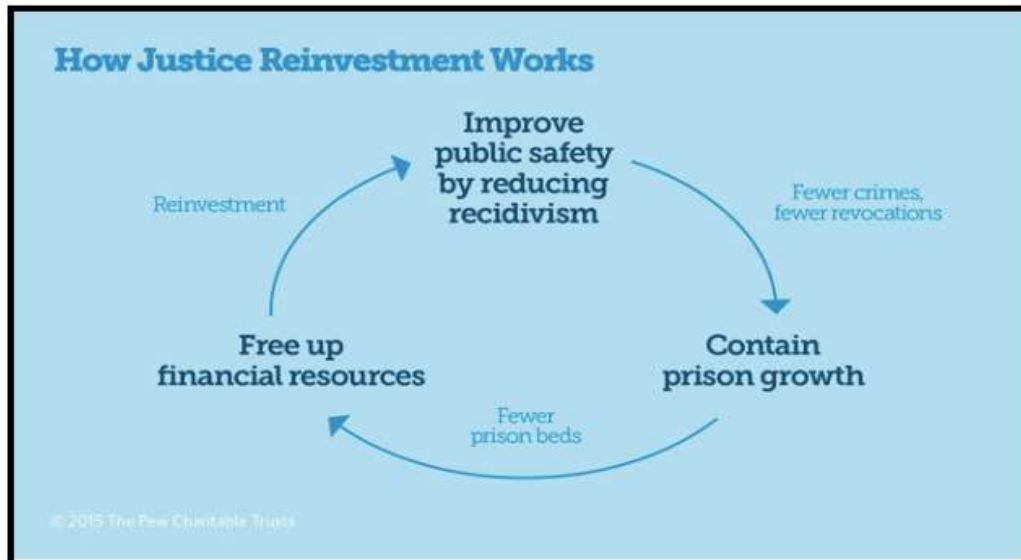
**HEALTH, HOUSING, EDUCATION, EMPLOYMENT:**  
recognised as the 4 key social determinants of imprisonment.

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▶ How to Assess the Current Effectiveness of JR in Australia at the present time?



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▶ How to assess the current effectiveness of JR initiatives in Australia at present?



When we examine the outline of the previous Figure:  
*'How Justice Reinvestment Works'*  
 what is it that stands out?

It would appear that the part of the cycle: **CONTAIN PRISON GROWTH**  
 is simply not happening at the present time.

Further, the following part of the cycle: **FREE UP FINANCIAL RESOURCES**  
 is also not proceeding in any existing JR program.

However, it is important to remember, that this process of change using a  
 'bottoms up' approach takes time to be truly effective.

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▶ **Criminal Justice Reformers must take concerted action to bring about lasting change!**



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▶ **What action must criminologists in Australia & New Zealand take at the present time?**



A famous Australian Judge, Sir John Barry QC, founding Chair of the Department of Criminology suggested something that I found helpful:

He asked, back in Melbourne in 1956:

***WHAT IS THE DIFFERENCE BETWEEN CRIMINOLOGY AND THE LAW?***

**‘Lawyers accept the law and human conduct as it is, while criminologists ask questions about why people behave the way they do, why laws are the way they are, what are the purposes and means of punishment.**

**‘Law in other words is rule-bound and essentially uninterested in broad enquiry about the social world, whereas criminology is precisely interested in asking why it is so’.**



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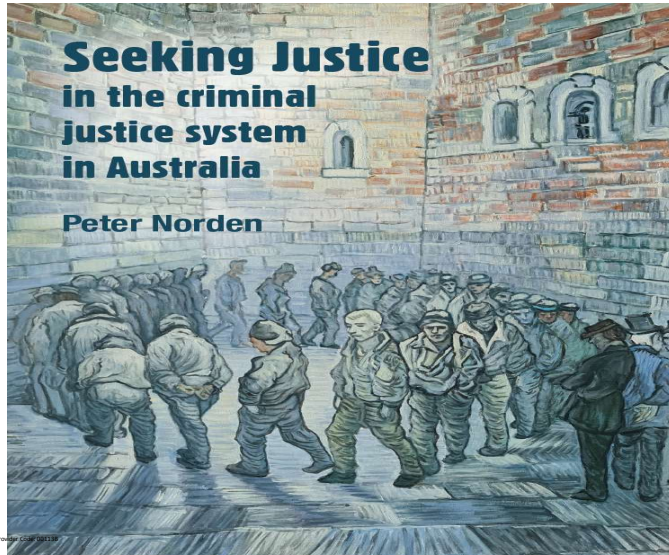
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► **Seeking Justice in the criminal justice system in Australia. Norden, P. (2021) 446pp.**



[www.nordendirections.au](http://www.nordendirections.au)



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*Prisons walls serve a dual purpose:  
they keep prisoners from escaping  
& they keep the community outside,  
& ignorant of what goes on  
behind those prison walls...*

*Private prison operators  
are business people  
who are more interested  
in doing well  
than in doing good.*

*Let us hope that the future direction  
of the Australian criminal justice system  
will be founded on evidence,  
and not on a misguided model based  
on our past as a penal settlement.*

*A significant change of direction is required  
to turn around this international scandal  
of the mass incarceration of  
Indigenous Australians.*