



**JUSTICE
REFORM
INITIATIVE**

**JAILING
IS
FAILING**

A Paper from the Justice Reform Initiative

STATE OF INCARCERATION

INSIGHTS INTO IMPRISONMENT IN QUEENSLAND

November 2022

Executive summary

Since 2011–12, Queensland's adult prison population has grown by 68% – by far the highest increase in Australia over this period.¹ Queensland also now imprisons the highest number of children in Australia.²

This growth has not been driven by increased severity of offending or increases in crime.^{3,4} It has been driven by political, policy and legislative choices that end up funnelling many people unnecessarily into imprisonment.

This comes at enormous cost to Queensland taxpayers. An adult person in prison costs the taxpayer \$207 per day, or \$75,602 per year.⁵ A young person⁶ in prison costs \$1,880 per day and \$686,127 per year.⁷ With 266 young people in detention on average each day⁸ (the highest number across all states and territories), this costs Queenslanders \$183 million per year.

Between 2003 and 2018, Australia's imprisonment rate grew by 39%; the third fastest growth rate in the OECD. Only Colombia (at 46%) and Turkey (at 120%) grew their prison populations faster. In the same period the United States' imprisonment rate decreased by 14%.⁹ Queensland's extraordinary increase in the use of incarceration is leading Australia at a time when Australia is already incarcerating faster than almost everywhere else in the world.

Queensland's over-reliance on incarceration as a default response to both disadvantage and offending has resulted in a situation where too many people

in the justice system are unnecessarily trapped in a cycle of harmful and costly incarceration. Children in Queensland are imprisoned at more than twice the rate of children in New South Wales and Victoria¹⁰ and there is strong evidence that this early interaction with the justice system will likely trap them in the 'revolving door' of reincarceration for much of their lives.

This report is a snapshot of a system that fails all Queenslanders including people impacted directly by the justice system and taxpayers who foot the bill for a system that is failing. Instead of reducing the likelihood of reoffending, prison entrenches existing disadvantages and increases the likelihood of ongoing criminal justice system involvement, often over generations. Many people leave prison jobless, homeless, and without the necessary support to build healthy, productive, connected, and meaningful lives in the community.

In a reflection of the devastating national picture, Queensland imprisons Aboriginal and Torres Strait Islander adults at 14 times the rate that of the non-Indigenous population.¹¹ Other cohorts, including children, people with mental health conditions, people with disability and people experiencing multiple and complex disadvantages, are also imprisoned at a rate that is exceedingly high.¹² A persistent failure to provide the kind of supports and opportunities in the community that genuinely address the underlying drivers of incarceration underpins a costly system that does not make the community safer.

1 Productivity Commission, Report on Government Services 2022, Table 8A.4

2 Australian Institute of Health and Welfare (AIHW), Youth detention population in Australia 2021, Figure 5.1

3 Queensland Treasury Crime report (2022). Queensland, 2020–21 Reported crime statistics, <https://www.qgso.qld.gov.au/issues/7856/crime-report-qld-2020-21.pdf>. Crime rates from major serious crime categories such as homicide have decreased, while assault and other offences against persons have increased slightly – though these represent the smallest proportion of offences across all age groups (6–9%).

4 Queensland Treasury (2021). Youth offending: Research brief. <https://www.qgso.qld.gov.au/issues/10321/youth-offending-april-2021-edn.pdf>

5 Productivity Commission, Report on Government Services 2022, Table 8A.2

6 The term 'young person' is used to refer to individuals aged 10 and over who are supervised by a youth justice agency

7 Productivity Commission, Report on Government Services 2022, tables 17A.21.

8 Australian Institute of Health and Welfare (2021). Youth detention population in Australia 2021, Table S7

9 Melanie, J., et al, 2021, Australia's prison dilemma, Productivity Commission, <https://www.pc.gov.au/research/completed/prison-dilemma/prison-dilemma.pdf>

10 Productivity Commission, Report on Government Services 2022, Youth justice, section 17, table 17A.3

11 Australian Bureau of Statistics (ABS), Prisoners in Australia, 2021, Table 17

12 Australian Institute of Health and Welfare (AIHW), Youth detention population in Australia 2021, table S8; AIHW (2018). The health of Queensland's prisoners, 2018. <https://www.aihw.gov.au/getmedia/eed8felf-1473-4a83-9b2d-62141f3b23a/Prisoners-Qld.pdf.aspx>

The criminal justice system is characterised by a cycle of disadvantage, where people enter and return to prison repeatedly over many years. This 'revolving door' model costs Queensland taxpayers \$716.9 million a year in operating costs of prisons alone.¹³ On top of this, the 1,000-bed Southern Queensland Correctional Centre near Gatton was the Queensland Government's second biggest infrastructure project at the time, initially costing \$620 million¹⁴ then \$861 million after the addition of another 500 beds.¹⁵ Additionally the state government recently spent \$241 million on the expansion of Capricornia Correctional Centre at Rockhampton. As this report was being prepared, the Queensland government announced it was in the early planning stages for another new youth detention centre, with \$500 million "on the table" to expand youth prisons and build one in Cairns.¹⁶

This trend of the persistent overuse of imprisonment has been replicated across Australia. The responsibility cannot be attributed to one side of politics or the other. Australia has been following the politicised approach of the USA by building more and more prisons at enormous cost, yet ultimately failing to address the drivers of contact with the criminal justice system. This situation is compounded through the often relentless 'tough on crime' rhetoric perpetuated in the media, which undermines evidence-based reform efforts.¹⁷

Yet there are positive signs of change. Even in the United States, both Republicans and Democrats are turning away from many of the policies that made the USA the world's "incarceration nation", and prison rates are falling. Across most of Western Europe, there is broad support for evidence-based policies that cut recidivism, turn lives around and make communities safer. And in Australia, states and territories are beginning to slowly turn the dial; acknowledging the need for community-led programs and alternatives to custody, looking at place-based responses that address the drivers of incarceration, and exploring legislative reform such as raising the age of criminal responsibility.

Jailing is clearly failing in Queensland. It is time for government to focus on the ideas, policies and practices that work in addressing the underlying

issues that funnel many marginalised and disadvantaged people into the criminal justice system and incarceration.

The Justice Reform Initiative is seeking to shift the public conversation and public policy away from building more prisons as the primary response of the criminal justice system and move instead to proven evidence-based approaches that break the cycle of incarceration.

We are committed to elevating approaches that address the causes of contact with the criminal justice system including responses to housing needs, mental health issues, cognitive impairment, employment needs, access to education, problematic substance use, and problematic gambling. We also seek to elevate approaches that see First Nations-led organisations adequately resourced and supported to provide culturally safe and autonomous support to First Nations people who are impacted by the justice system.

While policies from governments of both political persuasions have historically led to poor outcomes in the criminal justice system, the failures of our justice system are *not* inevitable. As we outline in this report, there are compelling examples of evidence-based programs, policies and services that are working to disrupt criminal justice system involvement in Queensland and in other states.

There are opportunities to build pathways *out* of the justice system and improve our service delivery response at every contact point in the criminal justice system. There is an opportunity to significantly scale up programs in the community and expand the capacity of the community sector to enable people who are caught in the justice system with a range of opportunities to genuinely rebuild their lives.

Instead of expanding prisons and committing to more prison beds, there is an opportunity for the Queensland government to focus attention and resources on evidence-based programs that work to reduce incarceration and decrease recidivism.

¹³ Productivity Commission, Report on Government Services 2022 Table BA.2

¹⁴ The Honourable Mark Ryan, Minister for Police and Corrective Services and Minister for Fire and Emergency Services, Queensland's second biggest infrastructure project surging ahead, Published Thursday, 12 August, 2021 at 03:15 PM, <https://statements.qld.gov.au/statements/92923#:~:text=Budget%20Estimates%20has%20today%20heard,on%20the%20last%20financial%20year.>

¹⁵ Southern Queensland Correctional Precinct - Stage Two, <https://infrastructurepipeline.org/project/southern-queensland-correctional-precinct-gatton>

¹⁶ Queensland government proposes possible detention centre in Cairns | The Cairns Post

¹⁷ Schulz and Cannon (2011), Public opinion, media, judges and the discourse of time, 21(1) JJA, 1-11

HOW JAILING IS FAILING

The most recent data indicates there are 9,476 people in Queensland adult prisons.¹⁸ Of those, 3,278 (35%) are Aboriginal and Torres Strait Islander people.¹⁹ More than two-thirds (68%) of people in prison in Queensland have been in prison before.²⁰

The state's rate of imprisonment is 236.6 people per 100,000 adults.²¹ This is significantly higher than the Australian average of 210.²² Comparable OECD countries such as Canada and Germany have imprisonment rates lower than half the rate of Queensland.

Currently 3 in 10 people in Queensland prisons are unsentenced, up from 2 in 10 people a decade ago.²³ This rate is much higher amongst young people, with almost 9 in 10 (88%) of children and young people in detention on an average night unsentenced.²⁴

Over the past two decades, Queensland's policy response to increasing numbers of people in prison has been to throw more money into the existing criminal justice model, with prison being the default response. Queensland taxpayers already spend more than \$716.9 million on prisons each year,²⁵ and this is set to grow further as the incarceration rate continues to climb.

The operating cost of the Queensland prison system is \$75,602 per person in prison per year, or \$207 per day.²⁶ The average cost per young person per day in Queensland prisons is \$1,880, equivalent to \$686,127 per year.²⁷

Being imprisoned is frequently one part of a relentless cycle of disadvantage. One-third of people entering prison in Queensland have experienced homelessness and almost three-quarters (74%) expect to be homeless or do not know where they will go when released.²⁸ Two-thirds of people re-convicted were

not employed at the time of their offending.²⁹ When a person leaves prison, their prospects of finding a home or a job deteriorate further. Addressing poverty and supporting people with opportunity makes offending, reoffending, and a return to prison less likely. Prison entrenches disadvantage rather than allowing people to turn their lives around. Failure to invest properly in programs that are proven to reduce reoffending makes communities less safe.

Meaningful education, training, and support programs in prison, alongside programs that genuinely prepare and support people for release are critical to reducing the recidivism rate. Housing and homelessness services data highlights that people leaving custody have been the fastest growing client category over most of the last decade.³⁰ People leaving prison are immediately thrust into unstable and difficult situations that place them at high risk of reoffending and returning to custody.

Children in Queensland are imprisoned at more than twice the rate of children in New South Wales and Victoria.³¹ Many children who enter the youth justice system come from backgrounds where they have already experienced disadvantage and trauma, with a significant number also having experienced out of home care. Prison increases disadvantage and disconnection. Children need family and community support, education, and life opportunities, not punishment that compounds disconnection and disadvantage.

Aboriginal and Torres Strait Islander people are significantly overrepresented in Queensland's criminal justice system. Although Aboriginal and Torres Strait Islander people make up just 4.6% of Queensland's population³², Aboriginal and Torres Strait Islander children (between 10 and 17 years old) make up 62.6% of the youth prison population,³³ and Aboriginal and Torres Strait Islander adults make up 35% of the adult prison population.³⁴ The rate of incarceration

18 Productivity Commission, Report on Government Services 2022, table 8A.6.

19 Ibid.

20 ABS, Prisoners in Australia 2021, table 29 <<https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release#state-territory>>.

21 Productivity Commission, Report on Government Services 2022, table 8A.5

22 Productivity Commission, Report on Government Services 2022, table 8A.5

23 ABS, Prisoners in Australia 2012, table 1 <<https://www.abs.gov.au/AUSSTATS/abs@nsf/DetailsPage/451702012?OpenDocument>>.

24 AIHW, Youth detention population in Australia 2021, table S17.

25 Productivity Commission, Report on Government Services 2022 Table 8A.2

26 Productivity Commission, Report on Government Services 2022, Table 8A.20

27 Productivity Commission, Report on Government Services 2022, tables 17A.21.

28 AIHW (2018). The health of Queensland's prisoners, 2018.

29 Baldry, E. et al., A Future Beyond the Wall: Improving Post-release Employment Outcomes for People Leaving Prison, 2018, <http://unsworks.unsw.edu.au/fapi/datastream/unsworks:51556/bin0ae90f8c-51ca-48a6-87bc-c78f5e32cb3b?view=true>

30 Martin, C., Reeve, R., McCausland, R., Baldry, E., Burton, P., White, R. and Thomas, S. (2021) Exiting prison with complex support needs: the role of housing assistance, AHURI Final Report No. 361, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/sites/default/files/documents/2021-09/Executive-Summary-FR361-Exiting-prison-with-complex-support-needs-the-role-of-housing-assistance.pdf>

31 Productivity Commission, Report on Government Services 2022, Youth justice, section 17, table 17A.3

32 ABS (2022). Queensland: Aboriginal and Torres Strait Islander population summary, <https://www.abs.gov.au/articles/queensland-aboriginal-and-torres-strait-islander-population-summary>

33 Productivity Commission, Report on Government Services 2022, Youth justice, section 17, table 17A.5

34 Productivity Commission, Report on Government Services 2022, table 8A.6.

for Aboriginal and Torres Strait Islander children is 33 times the rate of non-Indigenous children.³⁵

Many of the figures in this report were recorded shortly after the 30th anniversary of the Royal Commission into Aboriginal Deaths in Custody. Although governments across Australia accepted almost all of the Royal Commission's recommendations, the majority have not been implemented; this includes the need for imprisonment to genuinely be a 'last resort'. Many of the underlying systemic issues that the Royal Commission identified as the cause of the disproportionate rate of incarceration among Aboriginal and Torres Strait Islander people have not been addressed by Government.

The Justice Reform Initiative believes there is a genuine opportunity in Queensland to shift the direction of our justice policies to build an evidence-based justice system that makes the community safer, reduces reoffending, provides pathways out of prison for people who need support in the community, and saves taxpayers millions of dollars annually.

ABOUT US

The Justice Reform Initiative is an alliance of people who share long-standing professional experience, lived experience and/or expert knowledge of the justice system, who are further supported by a movement of Australians of goodwill from across the country who all believe jailing is failing, and that there is an urgent need to reduce the number of people in Australian prisons.

The Justice Reform Initiative is committed to reducing Australia's harmful and costly reliance on incarceration. Our patrons include more than 100 eminent Australians, including two former Governors-General, former Members of Parliament from all sides of politics, academics, respected Aboriginal and Torres Strait Islander leaders, senior former judges, including High Court judges, and many other community leaders who have added their voices to end the cycle of incarceration in Australia.

Our Queensland patrons include (in alphabetical order):

- » The Honourable Mike Ahern AO. Former Premier of Queensland, businessman and founder of the Queensland Community Foundation.
- » Sallyanne Atkinson AO. Former Lord Mayor of Brisbane, businesswoman and Trade Commissioner.
- » Professor Kerry Carrington. Adjunct Professor, University of the Sunshine Coast.
- » Mick Gooda. Former Aboriginal and Torres Strait Islander Social Justice Commissioner and former Royal Commissioner into the Detention of Children in the Northern Territory.
- » Keith Hamburger AM. Former Director-General, Queensland Corrective Services Commission.
- » Professor Emeritus Ross Homel, AO. Foundation Professor of Criminology and Criminal Justice, Griffith University.
- » Professor Elena Marchetti. Griffith Law School, Griffith University.
- » The Honourable Margaret McMurdo AC. Former President Court of Appeal, Supreme Court of Queensland and Commissioner of the Victorian Royal Commission into the Management of Police Informants.
- » Dr Mark Rallings. Former Commissioner, Queensland Corrective Services.
- » Greg Vickery AO. Former President, Queensland Law Society and former Chair of the Standing Commission of the International Red Cross and Red Crescent Movement.
- » The Honourable Deane Wells. Former Attorney General of Queensland.
- » The Honourable Margaret White AO. Former Judge of the Queensland Supreme Court and Queensland Court of Appeal, former Royal Commissioner into the Detention of Children in the Northern Territory, and Adjunct Professor TC Berne School of Law UQ.

³⁵ Productivity Commission, Report on Government Services 2022, Youth justice, section 17, table 17A.5

Jailing is failing – Queensland’s prison population is booming

- » The prison population has grown by 68% over the past decade in Queensland.
- » 33% of people in Queensland prisons are unsentenced, up from 22% a decade ago.
- » State government policy decisions are a strong determinant of imprisonment and increased imprisonment.

Between 2011-12 and 2020-21, the Queensland prison population rose by 68%, from 5,650 to 9,476 people.³⁶ Crime rates are significantly lower than two decades ago³⁷ and are 1.9% lower than a decade ago.³⁸

Queensland prison numbers increased every year across the decade, except for a slight drop in 2019-20, followed by a substantial increase in 2020-21.³⁹ As described in the Queensland Productivity Commission’s report into imprisonment and recidivism,

the increase has primarily been driven by policy and system changes and a focus on short-term risk, not crime rates.⁴⁰

Securing a genuine, sustained decrease in prison numbers requires action to address the drivers of incarceration and recidivism including the underlying social and economic determinants of crime, which are compounded systemic failures.⁴¹

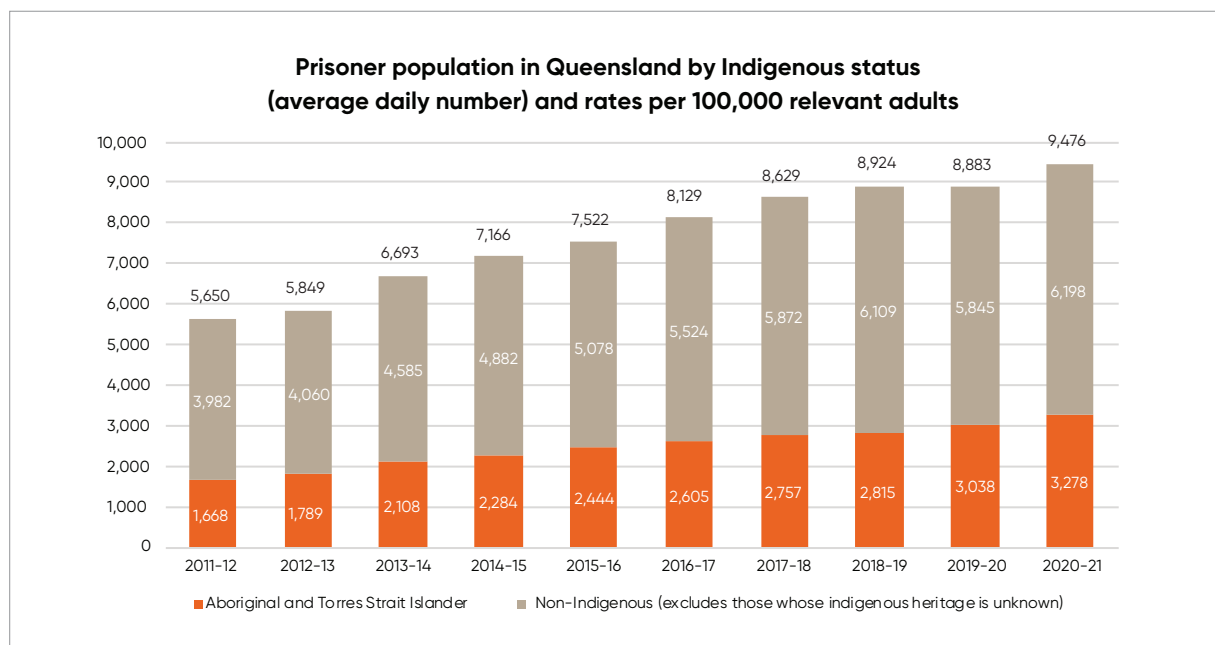


Chart 1: Productivity Commission, Report on Government Services 2022, table 8A.6.

³⁶ Productivity Commission, Report on Government Services 2022, table 8A.4

³⁷ Queensland Crime Statistics, <https://mypolice.qld.gov.au/queensland-crime-statistics/>

³⁸ Queensland Treasury Crime report, Queensland, 2020-21 Reported crime statistics, <https://www.qgso.qld.gov.au/issues/7856/crime-report-qld-2020-21.pdf>

³⁹ Productivity Commission, Report on Government Services 2022, table 8A.2 and Productivity Commission, Report on Government Services 2012, chapter 8, table 8A.1 and Productivity Commission, Report on Government Services 2022, chapter 8, table 8A.4

⁴⁰ Queensland Productivity Commission, Inquiry into imprisonment and recidivism: final report, 31 JAN 2020, https://apo.org.au/sites/default/files/resource-files/2020-01/apo-nid273991_1.pdf

⁴¹ Legal and Constitutional Affairs Senate Committee, Value of a justice reinvestment approach to criminal justice in Australia, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Completed_inquiries/2010-13/justicereinvestment/report/c02

The growth in the number of people in prison is in part associated with the increased use of remand. ABS data in 2022 showed that 32.6% of people in prison in Queensland were imprisoned without a sentence. In 2013, the rate was 22%, with remand numbers increasing by 1,757 people in the intervening years.⁴²

Remand exacts a severe toll on an individual's work, housing, and family relationships, especially where the person on remand is the primary carer of children. It

increases the likelihood of children being placed into out-of-home care.⁴³ Additionally, people incarcerated on remand, or those on short sentences, tend not to have access to meaningful programs or services in prison.⁴⁴

Thirty-three percent of people in Queensland prisons are held on remand. Of those, 22% have been held for more than three months, 22% have been held for more than six months and 15% for longer than a year.⁴⁵

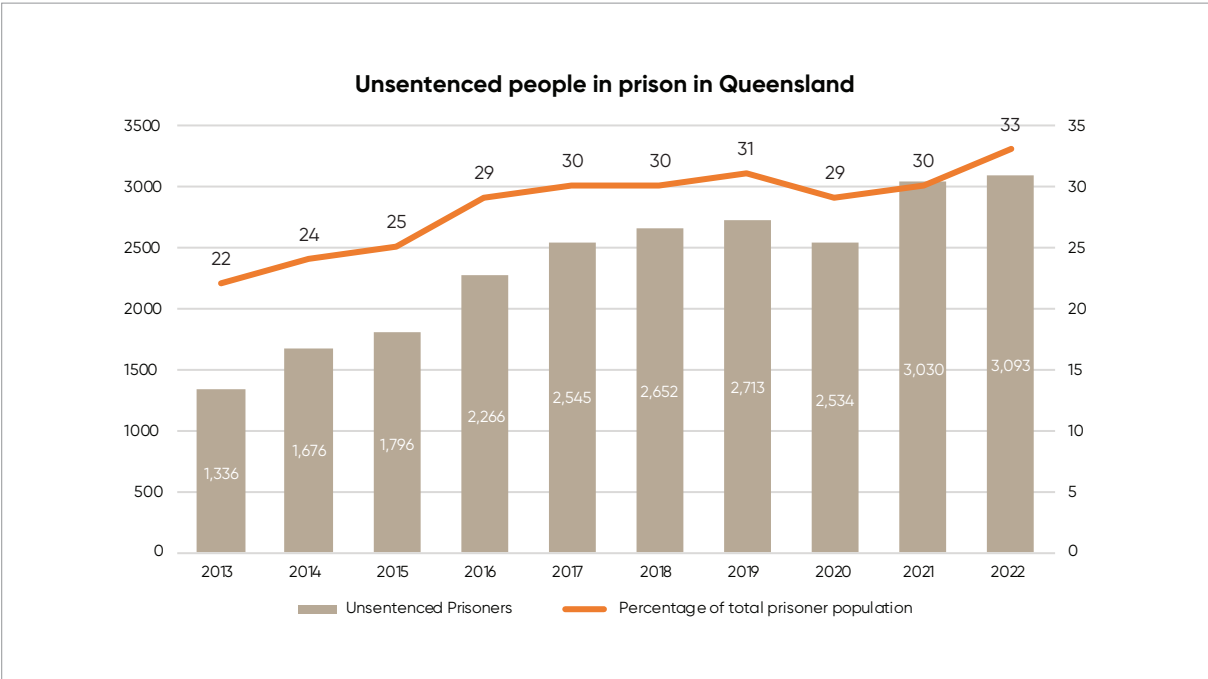


Chart 2: Australian Bureau of Statistics, Prisoners in Australia reports 2013-2022.⁴⁶

Many people on remand will be found not guilty or have the cases against them withdrawn. Data from NSW points to the way many people end up serving more time on remand than they would have spent in custody were they to be sentenced, especially with increasingly congested courts.⁴⁷ The Australian Law Reform Commission has pointed out that a 'large

proportion' of Aboriginal and Torres Strait Islander people do not receive custodial sentences.⁴⁸ The overuse, and inappropriate use, of remand has serious consequences for individuals and their families. Strategies to reduce the numbers of people on remand require immediate attention.

⁴² ABS, Prisoners in Australia 2021, Table 15; ABS Prisoners in Australia reports 2013-2021
⁴³ Legal and Constitutional Affairs Senate Committee, Value of a justice reinvestment approach to criminal justice in Australia, Chapter 3, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Completed_inquiries/2010-13/justicereinvestment/report/c03
⁴⁴ Operational Strategy and Research Queensland Corrective Services Department of Community Safety, Rehabilitative needs and treatment of Indigenous offenders in Queensland, November 2010, <https://www.premiers.qld.gov.au/publications/categories/reports/assets/rehabilitative-needs.pdf>
⁴⁵ Legal and Constitutional Affairs Senate Committee, Value of a justice reinvestment approach to criminal justice in Australia, Chapter 3, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Completed_inquiries/2010-13/justicereinvestment/report/c03; O'Gorman, R., Rehabilitation Services for Prisoners & Queensland's Parole Changes (2017), <https://www.robertsonogorman.com.au/2017/february/17/rehabilitation-services-prisoners-queenslands-parole-changes/>
⁴⁶ ABS, Prisoners in Australia, reports 2013 - 2022. The data tables changed over time, and were: table 1 in 2012; table 14 in 2013; table 13 in 2014, 2015 and 2016; and table 14 from 2017 onwards.
⁴⁷ Ramsey, S and Fitzgerald, J, Offenders sentenced to time already served in custody, 2019, NSW Bureau of Crime Statistics and Research, <https://www.bocsar.nsw.gov.au/Publications/BB/2019-Report-Offenders-sentenced-to-time-already-served-in-custody-BB140.pdf>
⁴⁸ <https://www.alrc.gov.au/publication/incarceration-rates-of-aboriginal-and-torres-strait-islander-peoples-dp-84/2-bail-and-the-remand-population/summary-249/>

If Queensland had maintained the number of unsentenced people in prison at the same number as a decade ago, there would be around 1757 fewer people in prison.⁴⁹ These 1757 extra prisoners cost Queensland taxpayers more than \$363,700 each day. This does not include the hundreds of millions of dollars spent building extra prison beds and prisons.

The over-reliance on remand is even more apparent among children, with consequences that can shift the direction of a child's life. In the June quarter of 2021, 235 children (88%) were in detention without having

been sentenced, with 32 children (12%) detained under sentence.⁵⁰ Queensland has by far the highest number of young people (all ages) in unsentenced detention. On average, it takes 309 days – almost a year – to finalise a matter in the Queensland Children's Court. This means, that when sentenced, most children on remand have already served their sentence, or spent more time in prison than would have otherwise been ordered by the courts.⁵¹ Remand disconnects children from family, cultural and community supports, and increases the likelihood of reoffending.

Young people (all ages) in unsentenced detention on an average night by sex, states and territories 2017-2021

Quarter	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Jun qtr 2017	176.4	82.7	162.0	70.8	33.6	9.1	12.5	30.8
Jun qtr 2018	167.3	73.6	200.7	74.7	20.3	7.9	7.3	21.7
Jun qtr 2019	156.7	101.7	208.1	76.5	21.2	10.7	6.6	13.5
Jun qtr 2020	118.0	101.0	175.0	61.7	25.0	4.6	11.3	17.5
Jun qtr 2021	131.4	91.8	234.9	64.2	14.6	6.6	10.2	35.7

Chart 3: Australian Institute of Health and Welfare: Young people (all ages) in unsentenced detention on an average night by sex, states and territories, June quarter 2017 to June quarter 2021.⁵²

The imprisonment rate in Queensland, considering population growth, has increased by almost 46.5% over the past decade.⁵³ There are 236.6 persons imprisoned per 100,000 adults,⁵⁴ with Queensland

having the third highest imprisonment rate in the country after Western Australia and the Northern Territory – significantly higher than the Australian average of 210.⁵⁵

⁴⁹ ABS, prisoners in Australia 2012; ABS, prisoners in Australia 2021.

⁵⁰ AIHW, Youth detention population in Australia 2021, table S18 and S28 <<https://www.aihw.gov.au/reports/youth-justice/youth-detention-population-in-australia-2021/data>>

⁵¹ Children's Court of Queensland, Annual Report 2020 – 21, https://www.courts.qld.gov.au/_data/assets/pdf_file/0003/714873/cc-ar-2020-2021.pdf

⁵² AIHW, Youth detention population in Australia 2021, table S17

⁵³ Productivity Commission, Report on Government Services 2022, Table 8A.5

⁵⁴ Productivity Commission, Report on Government Services 2022, Table 8A.5

⁵⁵ Productivity Commission, Report on Government Services 2022, Table 8A.5

This figure is also high compared with most OECD nations – except for the United States which is a global outlier – with countries like Italy, Canada and Germany all imprisoning fewer than 100 per 100,000 people.⁵⁶ While the United States still stands out as an outlier due to years of policies such as the “war on drugs” driving the creation of an oversized

prison system, lawmakers in states such as Texas, California, Mississippi and Michigan are reversing the incarceration trend and the overall prison population is falling from a peak in 2009.⁵⁷ Meanwhile prison numbers in Queensland – and Australia – have significantly increased over the same period.

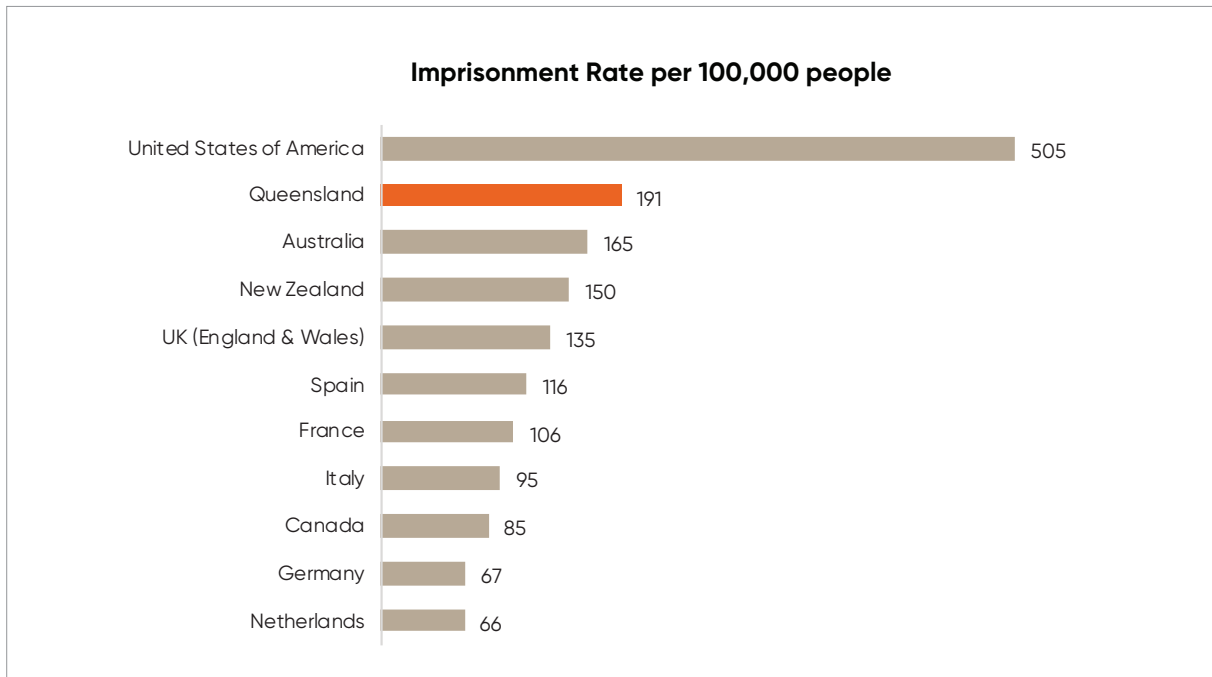


Chart 4: World Prison Brief, Prison Population Rates, June 2021.⁵⁸

⁵⁶ Highest to Lowest - Prison Population Rate, World Prison Brief (accessed 2021), www.prisonstudies.org

⁵⁷ Criminal Justice Facts, The Sentencing Project (accessed 2022), <https://www.sentencingproject.org/criminal-justice-facts/>

⁵⁸ World Prison Brief, https://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All. Note: World Prison Brief uses the number of people in prison against the entire population, not adult population, unlike most other data sets used in this report (ABS, Productivity Commission); Queensland Government (2021). Prisoners in Queensland, 2021. <https://www.qgso.qld.gov.au/issues/2951/prisoners-qld-2021.pdf>

Jailing is failing as a deterrent – people in Queensland keep returning to prison

- » 68% of people in Queensland prisons have been in prison before.⁵⁹
- » 42% of people exiting prison receive a prison sentence within two years of their release.⁶⁰
- » Queensland taxpayers are spending \$1.4 million per day on prisons.

It is well established that each contact with the criminal justice system, as it currently operates, increases the likelihood of further contact. The majority of people in prison in Queensland have been in prison before – this trend is not declining. The known prior imprisonment rate rose from

65% in 2012 to 68% in 2021.⁶¹ Queensland taxpayers are currently spending over \$1.4 million per day locking up people – with the majority having previously spent time in prison, which clearly has not been effective at breaking the cycle of incarceration.⁶²

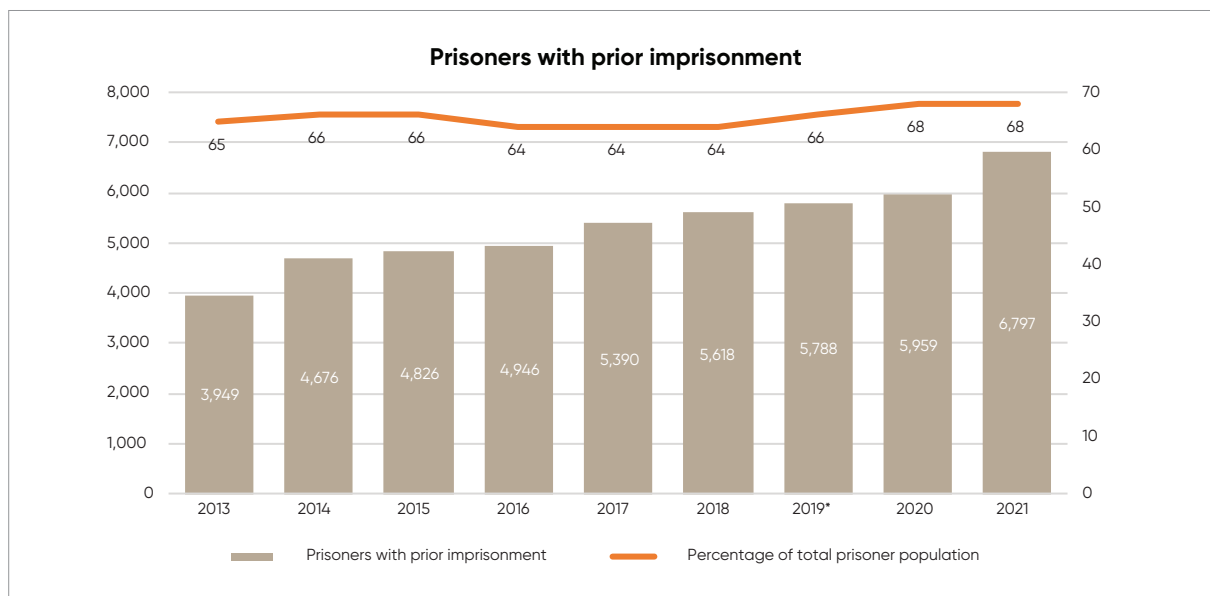


Chart 5: Australian Bureau of Statistics, Prisoners in Australia, 2013–2021.

The Productivity Commission notes that in 2020–21, 42.6% of people who had been released from prison in Queensland returned to prison within two years.⁶³ This is up from 37.8% in 2015–16 and has continually increased since this time.⁶⁴ The existing programs that seek to reduce recidivism are not having the desired effect, with more people returning to prison year on year. An opportunity for a deliberate

shift in policy exists and should be capitalised on. Queensland should seek to reduce incarceration numbers by increasing support for programs that are shown to address the drivers of criminal justice system involvement, rather than continuing the same approach and spending money on programs which are demonstrated by the recidivism rates to be ineffective at preventing reincarceration.

⁵⁹ ABS, Prisoners in Australia 2021, table 14

⁶⁰ Productivity Commission, Report on Government Services 2022, table CA.4

⁶¹ ABS, Prisoners in Australia 2021, table 15

⁶² ABS, Prisoners in Australia 2021, table 14; and Productivity Commission, Report on Government Services 2022, table 8A.20.

⁶³ Productivity Commission, Report on Government Services 2022, table CA.4

⁶⁴ Productivity Commission, Report on Government Services 2022, table CA.4

Jailing is failing Queensland taxpayers – building more prisons is not the answer

- » In 2020-21, the real net operating expenditure on prisons and corrections services in Queensland was \$847.1 million, with \$716.9 million spent on prisons and \$130.1 million on community corrections.⁶⁵
- » The real direct cost per adult person in prison per day is \$207.13 or \$75,602 per year.⁶⁶ The direct cost per young person in prison is \$1,880 per day or \$686,127 per year.⁶⁷
- » When indirect costs (such as loss of earnings) are considered, prisons cost three times as much as corrections orders.
- » Expenditure on Community Corrections Services has increased at a slightly higher rate than increases on prison expenditure.

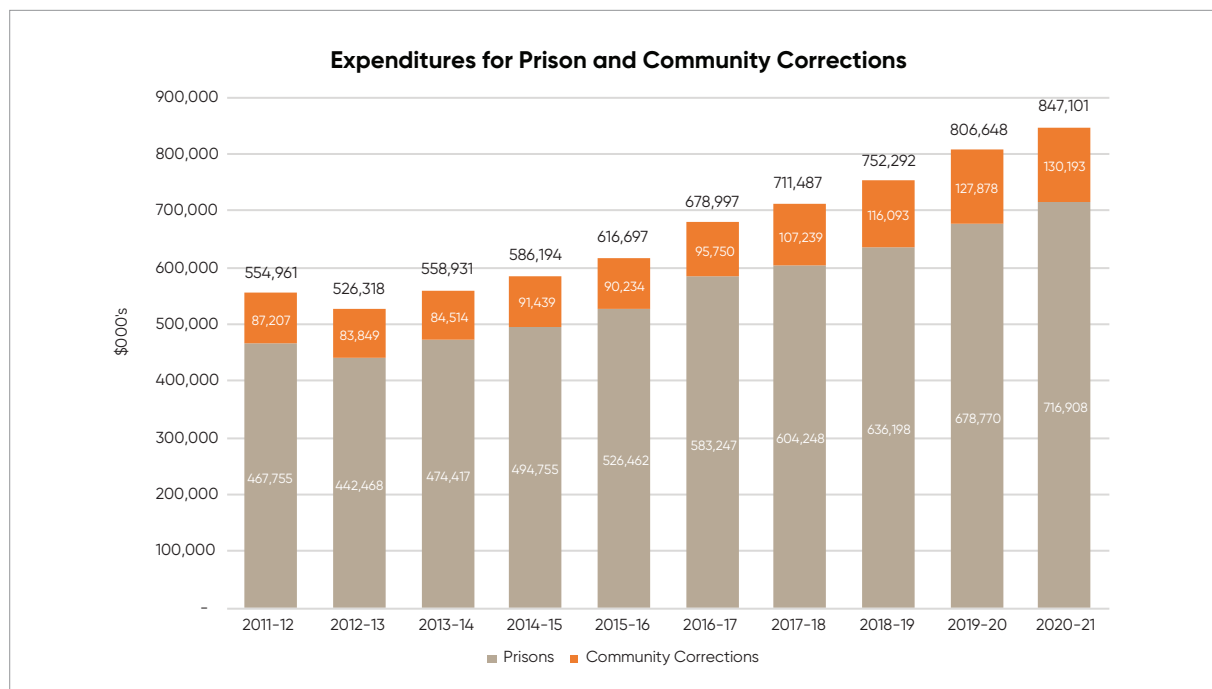


Chart 6: Productivity Commission, Report on Government Services 2022, table 8A.2.

Queensland prison and correctional services costs have risen by 106% since 2011-12 and Queensland is continuing to spend more money on increasing prison capacity.⁶⁸ The Queensland Productivity Commission said in 2019: "Without action to reduce growth, the

government will need to build up to 4,200 additional cells by 2025. This will require investments of around \$3.6 billion."⁶⁹

⁶⁵ Productivity Commission, Report on Government Services 2022 Table 8A.2

⁶⁶ Productivity Commission, Report on Government Services 2022 Table 8A.20

⁶⁷ Productivity Commission, Report on Government Services 2022, tables 17A.21

⁶⁸ Productivity Commission, Report on Government Services 2022 Table 8A.2. This is the increase in real net operating expenditure for prisons and community corrections.

⁶⁹ Queensland Productivity Commission, Inquiry into imprisonment and recidivism: final report, 31 JAN 2020, https://apo.org.au/sites/default/files/resource-files/2020-01/apo-nid273991_1.pdf

This is coming to fruition with an additional \$241 million outlaid on the expansion of Capricornia Correctional Centre at Rockhampton, and significant expenditure on the Queensland Government's second biggest infrastructure project at the time – \$620 million initially on the new, expanded 1,000-bed Southern Queensland Correctional Centre near Gatton⁷⁰, which

rose to \$861 million after the addition of another 500 beds.⁷¹ As noted earlier, the Queensland government has also recently announced plans for a further \$500 million expenditure on youth detention, including a new youth detention centre in far north Queensland. Queensland already has three youth detention centres (two in Brisbane and one in Townsville).

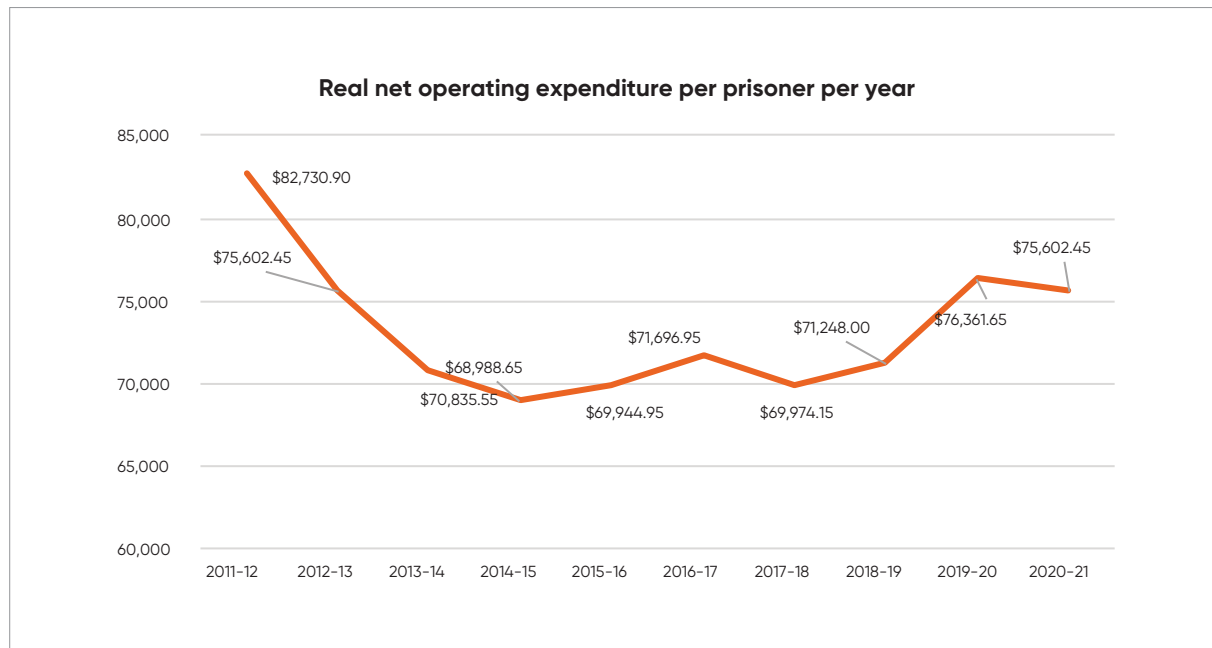


Chart 7: Productivity Commission, Report on Government Services 2022, table 8A.20.

The cost per person per day of running Queensland's prison system is currently \$207, or \$75,602.45 per person in prison per year today.⁷² The Queensland Productivity Commission has estimated that the additional cost per year to the Queensland community beyond direct prison costs is \$48,000.⁷³

Research by the Australian Institute of Criminology in 2018 looked at the costs associated with community corrections orders and prison sentences over a five-year period, comparing two groups based on demographic fit, current offending, offending history, and risk of offending.

The cost of imprisonment was almost three times higher than a community corrections order when comparing those charged with equivalent offences. Reoffending rates of people released from prison within two years are also significantly higher (52%) compared to those released from community corrections (22%)⁷⁴.

⁷⁰ The Honourable Mark Ryan, Minister for Police and Corrective Services and Minister for Fire and Emergency Services, Queensland's second biggest infrastructure project surging ahead, Published Thursday, 12 August, 2021 at 03:15 PM, <https://statements.qld.gov.au/statements/92923#:~:text=Budget%20Estimates%20has%20today%20heard,on%20the%20last%20financial%20year.>

⁷¹ Southern Queensland Correctional Precinct - Stage Two, <https://infrastructurepipeline.org/project/southern-queensland-correctional-precinct-gatton>

⁷² Productivity Commission (2022), Report on Government Services 2022, Table 8A.20

⁷³ Queensland Productivity Commission, Inquiry into imprisonment and recidivism: final report, pg. 13, 31 JAN 2020, https://apo.org.au/sites/default/files/resource-files/2020-01/apo-nid273991_1.pdf

⁷⁴ Productivity Commission (2022). Report on Government Services 2022. Table CA.4, Table CA.5

The largest multiplier effect was on the care and protection of children where the cost was almost 17 times higher for the prison cohort, with most of that spent on out of home care.⁷⁵ Numerous reports have demonstrated the negative life outcomes for children whose parents are imprisoned.⁷⁶ Thirty percent of young people involved in the youth justice system had at least one parent who spent time in adult custody.⁷⁷

As is noted below, multiple genuine alternatives to incarceration exist, including alternatives outside of the justice system. Imprisonment is an expensive model that increases the likelihood of ongoing criminal justice system contact. There is considerable evidence that investing in housing, accessible drug and alcohol treatment, mental health and disability support, and community development is both more effective in terms of cost, and more effective in terms of community safety.

⁷⁵ Morgan, A, Australian Institute of Criminology (2018), How much does prison really cost? Comparing the costs of imprisonment with community corrections, pages 71- 73, https://www.aic.gov.au/sites/default/files/2020-05/rr_05_240418_2.pdf

⁷⁶ Justice Health & Forensic Mental Health Network Strategic Plan 2018 – 2022, pg. 14, <https://www.justicehealth.nsw.gov.au/publications/BookletStrategicPlan20182022.pdf>

⁷⁷ Department of Children, Youth Justice and Multicultural Affairs (2021). Youth Justice Pocket Stats 2019–20. <https://www.cyjma.qld.gov.au/resources/dcsyw/youth-justice/resources/yj-pocket-stats-2019-20.pdf>

Jailing is failing to transition people back into the community

- » Just under half of the people who leave prison in Queensland expect to be homeless.
- » More than eight in ten (84%) of people who leave prison in Queensland do not have a job to go to.
- » Five (46%) in ten children⁷⁸ and four in ten (39%) of adults in Queensland's prisons have a mental health condition, increasing to 6 in 10 for Aboriginal and Torres Strait Islander people in prison.

Imprisonment exacerbates drivers of incarceration such as poverty and disadvantage, which contribute to the likelihood of repeated imprisonment. Across Australia, people are leaving prison with higher rates of homelessness and unemployment than those who are going in.⁷⁹ The current system is failing to make the most of the opportunity to improve the health of people before they return to the community.

In 2018, just under half (47%) of the people leaving Queensland prisons expected to be homeless upon release.⁸⁰ This indicates 33% of people were homeless in the prior to entering prison. It is clear that homeless people are over-represented in QLD prisons, and also that the experience of imprisonment increases the likelihood of homelessness on release.⁸¹

The Queensland Productivity Commission recommended providing short-term housing for people who do not have accommodation on release, as part of the provision of minimum standards to lessen the risk of reoffending.⁸² In other words, the community is best kept safe by making sure that people who have been to prison have somewhere to live in the days after prison. The community is less safe when people who have been to prison have nowhere to go.

Of the people entering prison in Queensland in 2018, 74% were unemployed in the 30 days prior to their incarceration and only 16% of people leaving prison had any employment organised.⁸³ Numerous reports have noted the importance of stable employment for post-release success,⁸⁴ and yet access to skills, training, and employment opportunities while people are in prison is still extraordinarily limited.

The Queensland Government operates work camps across Queensland for people in prison who have been assessed as low-risk, which generates millions in labour value to the government.⁸⁵ People who engage in work while in prison build skills that are transferrable to work in the community. However, 84% of people in Queensland leave prison without clear post-prison employment prospects. The Queensland Productivity Commission notes the opportunity to revisit the value of transition to employment:

"Work, education, and other release arrangements have been used successfully in the past in Queensland and are used in many jurisdictions around the world. These arrangements should be reintroduced in Queensland."⁸⁶

78 Department of Children, Youth Justice and Multicultural Affairs, Youth Justice Pocket Stats 2019–20, <https://www.cyjma.qld.gov.au/resources/dcsyw/youth-justice/resources/yj-pocket-stats-2019-20.pdf>

79 AIHW (2018). The health of Queensland's prisoners, 2018.

80 AIHW, The health of Queensland's prisoners 2018, <https://www.aihw.gov.au/getmedia/eed8fe1f-1473-4a83-9b2d-62141ff3b23a/Prisoners-Qld.pdf.aspx>

81 AIHW, The health of Queensland's prisoners 2018, <https://www.aihw.gov.au/getmedia/eed8fe1f-1473-4a83-9b2d-62141ff3b23a/Prisoners-Qld.pdf.aspx>

82 Queensland Productivity Commission, Inquiry into imprisonment and recidivism: final report, pg. 43, 31 JAN 2020, https://apo.org.au/sites/default/files/resource-files/2020-01/apo-nid273991_1.pdf

83 AIHW, The health of Queensland's prisoners 2018, <https://www.aihw.gov.au/getmedia/eed8fe1f-1473-4a83-9b2d-62141ff3b23a/Prisoners-Qld.pdf.aspx>

84 Community Development and Justice Standing Committee, June 2010, Interim Report, p. 1 <[https://www.parliament.wa.gov.au/Parliament/commit.nsf/\(Report+Lookup+by+Com+ID\)/F1F0DA1F2B973945482578310040D207/\\$file/Report%20No%20%204%20Interim%20Report%20Prisons%2024%20June%202010%20final.pdf](https://www.parliament.wa.gov.au/Parliament/commit.nsf/(Report+Lookup+by+Com+ID)/F1F0DA1F2B973945482578310040D207/$file/Report%20No%20%204%20Interim%20Report%20Prisons%2024%20June%202010%20final.pdf)>

85 Community service programs: changing lives every day, <https://corrections.qld.gov.au/community-service-programs-changing-lives-every-day/>

86 Queensland Productivity Commission, Inquiry into imprisonment and recidivism: final report, pg. 29, 31 JAN 2020, https://apo.org.au/sites/default/files/resource-files/2020-01/apo-nid273991_1.pdf, emphasis added.

39% of people entering Queensland prisons had previously been told that they had a mental health condition.⁸⁷ One in 3 (32%) people entering prison reported a high or very high level of psychological distress.⁸⁸ One in 5 (19%) people in prison were prescribed antidepressants or mood stabilisers.⁸⁹ Research from Griffith Criminology Institute found the majority of First Nations people who were incarcerated (60%) had been hospitalised for a mental health episode, and/or had been subject to a child protection order. This was higher for First Nations women who were incarcerated (76%)⁹⁰

The relationship between health, education and justice outcomes is well established. For instance, hearing loss from chronic middle ear disease in children can lead to language and learning challenges at school. In turn, a cascading series of risks arise as a consequence of resulting educational disengagement and perceived problematic behaviour if the school environment isn't supportive of disability. A study of Aboriginal and Torres Strait Islander women in prison in Western Australia found that 46% had suffered significant hearing loss.⁹¹

The 'school to prison' pipeline requires exploration in Australia. Internationally there is strong evidence of the negative outcomes⁹² of exclusionary school discipline and future justice system involvement for disadvantaged and marginalised populations. In primary and secondary education, analysis of suspension, exclusion, and enrolment cancellation rates in Queensland government schools between 2013 and 2019 found Aboriginal and Torres Strait Islander students were consistently overrepresented.⁹³

Health services in prison remain underfunded, a problem exacerbated by the absence of Medicare and the Pharmaceutical Benefits Scheme to people while incarcerated. One in three (35%) of adults entering prison reported living with disability⁹⁴ and, as discussed further in this report, there is strong evidence that a high proportion of children in the youth justice system have neurodevelopment impairments.

While there are valuable services operating in Queensland, there is a great deal more that needs to be done to invest in community-led interventions for people leaving prison. People coming out of prison face homelessness and joblessness, have multiple health and social needs, and require community driven support and connection. Although (as is noted further in this report) there are services and programs in the community working to support people leaving custody, these are frequently under-resourced, subject to inconsistent funding cycles, unable to meet demand for their services, and often unable to meet the needs of people cycling in and out of prisons from remote regions.

87 AIHW, The health of Queensland's prisoners 2018, <https://www.aihw.gov.au/getmedia/eed8fe1f-1473-4a83-9b2d-62141ff3b23a/Prisoners-Qld.pdf.aspx>

88 AIHW, The health of Queensland's prisoners 2018, <https://www.aihw.gov.au/getmedia/eed8fe1f-1473-4a83-9b2d-62141ff3b23a/Prisoners-Qld.pdf.aspx>

89 AIHW, The health of Queensland's prisoners 2018, <https://www.aihw.gov.au/getmedia/eed8fe1f-1473-4a83-9b2d-62141ff3b23a/Prisoners-Qld.pdf.aspx>

90 Stewart, A. et al. (2021). "Lifetime Prevalence of Mental Illness and Incarceration: An Analysis by Gender and Indigenous Status." *The Australian Journal of Social Issues* 56.2, 244–268.

91 Troy Vanderpoll and Damien Howard, Massive Prevalence of Hearing Loss Among Aboriginal Inmates in the Northern Territory, *Indigenous Law Bulletin*, 2012, 7(28) p. 5 <http://www.ilc.unsw.edu.au/sites/ilc.unsw.edu.au/files/articles/ILB%207-28%20Hearing%20Loss%20-%20Vanderpoll_Howard.pdf>.

92 Hemphill S.A. & Hargreaves J. 'School suspensions - a resource for teachers and school administrators', Centre for Adolescent Health, Murdoch Childrens Research Institute, Melbourne 2010; 'The effect of school suspensions and arrests on subsequent adolescent antisocial behavior in Australia and the United States', by Hemphill S.A., Toumbourou J.W., Herrenkohl T.J., McMorris B.J. & Catalano R.F. in *Journal of Adolescent Health* 39(5) 623-784 2006; 'Modifiable determinants of youth violence in Australia and the United States: A longitudinal study', by Hemphill S.A., Smith, Toumbourou J.W., Herrenkohl T.J., Catalano R.F., McMorris B.J. & Romanuk H. in *Australian and New Zealand Journal of Criminology* 42 289-309 2009

93 Graham, L. J., Killingly, C., Laurens, K. R., & Sweller, N. (2022). Overrepresentation of Indigenous students in school suspension, exclusion, and enrolment cancellation in Queensland: is there a case for systemic inclusive school reform? *The Australian Educational Researcher*, 1-35. <https://doi.org/10.1007/s13384-021-00504-1>

94 AIHW, The health of Queensland's prisoners 2018, <https://www.aihw.gov.au/getmedia/eed8fe1f-1473-4a83-9b2d-62141ff3b23a/Prisoners-Qld.pdf.aspx>

Jailing is failing Aboriginal and Torres Strait Islander people

- » Queensland has recorded a 96.5% increase in the Aboriginal and Torres Strait Islander adult prison population over the past decade.⁹⁴ The Aboriginal and Torres Strait Islander youth prison population has increased by 77% between 2017 and 2021.⁹⁵
- » Aboriginal and Torres Strait Islander adults are 14 times more likely to be in prison than the non-Indigenous adult population.⁹⁶ Aboriginal and Torres Strait Islander children aged 10–17 were 20 times more likely to end up incarcerated than non-Indigenous youth.⁹⁷
- » Aboriginal and Torres Strait Islander adults make up 35%⁹⁸ and youth 62%⁹⁹ of the prison population despite making up just 4.6% of the general population.¹⁰⁰
- » More than one in fifty Aboriginal and Torres Strait Islander adults in Queensland are in prison at any point in time.¹⁰¹

Between 2011–2012 and 2020–21, Queensland recorded a 96.5% increase in the number of Aboriginal and Torres Strait Islander people in prisons, rising from 1,668 to 3,278. Over the same period, the number of non-Indigenous people in prison increased at a slower rate of 55.6%.¹⁰³

As noted above, Queensland's 2020–21 incarceration rate of 237 per 100,000 adults far exceeds Australia's national incarceration rate of 210.¹⁰⁴ However, Queensland's incarceration rate for Aboriginal and Torres Strait Islander people is 2,244 per 100,000 adults, as compared to 161 for non-Indigenous adults.¹⁰⁵



Chart 8: Productivity Commission, Report on Government Services 2022, tables 8A.5 and 8A.6.

⁹⁵ Productivity Commission, Report on Government Services 2022, table 8A.6

⁹⁶ AIHW 2021. Youth detention population in Australia 2021. Table S.4.

⁹⁷ ABS, Prisoners in Australia, 2021, Table 17

⁹⁸ Holland, L. & Toombs, M. (2022). Raising the age of criminal responsibility is only a first step. First Nations kids need cultural solutions. <https://public-health.uq.edu.au/article/2022/07/raising-age-criminal-responsibility-only-first-step-first-nations-kids-need-cultural-solutions>

⁹⁹ ABS, Corrective Services, Australia, 2021, table 1. Productivity Commission, Report on Government Services 2022, table 8A.6. Australian Institute of Health and Welfare 2021. Youth detention population in Australia 2021. Tables S1, Table S7.

¹⁰⁰ ABS (2022). Queensland: Aboriginal and Torres Strait Islander population summary. <https://www.abs.gov.au/articles/queensland-aboriginal-and-torres-strait-islander-population-summary>

¹⁰¹ ABS (2022). Queensland: Aboriginal and Torres Strait Islander population summary. <https://www.abs.gov.au/articles/queensland-aboriginal-and-torres-strait-islander-population-summary>

¹⁰² Productivity Commission, Report on Government Services 2022, 8A.6

¹⁰³ Productivity Commission, Report on Government Services 2022, Table 8A.6

¹⁰⁴ Productivity Commission, Report on Government Services 2022, 8A.5

¹⁰⁵ Productivity Commission, Report on Government Services 2022, 8A.6

The over-representation of Aboriginal and Torres Strait Islander people in Queensland prisons both reflects and reproduces systemic disadvantage. It is impossible to disconnect this over-representation and the continued institutionalisation of First Nations peoples with the social drivers of incarceration identified so clearly in the thirty-year-old Royal Commission into Aboriginal Deaths in Custody report, including the impact of colonisation, structural racism, and dispossession.

Colonialisation and the “eroding of First Nations peoples’ ways of knowing, being and doing” has contributed to current levels of incarceration.¹⁰⁶ Drawing on the strengths of First Nations communities is infinitely more difficult when “(w)e are imprisoning traumatised, developmentally compromised and disadvantaged young people, where imprisonment itself adds to the re-traumatisation and complexity of supporting rehabilitation and recovery.”¹⁰⁷

Community Justice Groups from across Queensland have recently raised several workable policy options to decrease recidivism at a Stop Black Deaths in Custody (Meanjin) Forum held from 27–28 July 2022. Government representatives attended the forum and a follow-up report will be provided to Government outlining the key community-led solutions that could be implemented to reduce the over-representation of First Nations peoples in the criminal justice system.

Aboriginal and Torres Strait Islander organisations and communities have for decades been providing leadership and advocacy in this space, as well as clearly stating what is needed to prevent this over-representation continuing. Some of the reforms required are legislative. Other reform areas are about increasing accessibility to services and supports that are First Nations-led, and culturally meaningful. Some of these approaches are outlined in the final section of this report.

¹⁰⁶ Milroy, H., Watson, M., Kashyap, S. & Dudgeon, P., First Nations Peoples and the Law, published in the Australian Bar Review, Volume 50, Part B. https://www.lexisnexis.com.au/__data/assets/pdf_file/0008/420974/Australian_Bar_Review_ABR-Volume50_Part3.pdf

¹⁰⁷ Ibid pg. 7

Jailing is failing children – setting them up for a lifetime of contact with the justice system

- » The Queensland Government spent \$161.8 million on youth detention last year, with a further \$128 million spent on community youth justice services.¹⁰⁷
- » The average cost per young person per day in Queensland prisons is \$1,880, equivalent to \$686,127 per year.¹⁰⁸
- » 64% of children in detention in Queensland are of Aboriginal and/or Torres Strait Islander descent, though only 7.9% of the state's population between the ages of 10 and 17 has this heritage.¹⁰⁹

Both the number and rate of young people in detention in Queensland has increased since 2014–15 (10 to 17 years of age) from 172 to 219, and a rate of imprisonment from 3.6 children per 10,000 of population to 4.0.¹¹² Almost 9 in 10 (88.1%) of all children in detention are unsentenced.¹¹³

This is a consequence of legislative and policy decisions. Following a series of high-profile criminal cases, new laws took effect in 2021, which created a presumption against bail for children who were already on bail and then accused of further offences such as breaking and entering, sexual assault and armed robbery. Other changes to the *Youth Justice Act 1992* (Qld) included the strengthening of anti-hoarding laws and the trialling of GPS monitoring for children as young as 16 years old.¹¹⁴

Queensland's Youth Justice Minister said the removal of the presumption of bail had led to three times more young people being behind bars across the state than in New South Wales.¹¹⁵ The political decision to lock more children up flies in the face of evidence about how to reduce re-offending. Imprisoning children increases the likelihood of further offending and reincarceration, at a significant cost to taxpayers throughout their lives.

Government spending on youth detention in Queensland has increased to \$161.8 million per year since 2014–15. This is a \$64.2 million increase over this time.¹¹⁶ Funding for community-based youth justice services has increased by 82.6%, rising from \$70.1 million to \$128 million.

Children in detention face a series of barriers, including frequently undiagnosed neurodevelopmental impairment. The first study into foetal alcohol spectrum disorder in youth detention in Western Australia diagnosed 36% of participants.¹¹⁷ This is the highest prevalence in youth justice worldwide and for the majority, this was the first time this was diagnosed.

There is no reason to believe that the rates in Queensland would be markedly different, and recent studies in Queensland have noted service system gaps within youth detention centres in terms of diagnosing and managing children with neurodevelopment disorders.¹¹⁸ Anecdotal evidence suggests young people in youth detention in Queensland are not being routinely screened for neurodevelopment disorders – and in most cases non-government organisations/community-controlled organisations are required to pay for assessments for

¹⁰⁸ Productivity Commission, Report on Government Services 2022, table 17A.10.

¹⁰⁹ Productivity Commission, Report on Government Services 2022, tables 17A.21.

¹¹⁰ Productivity Commission, Report on Government Services 2022, Tables 17A.5 and 17A.28.

¹¹¹ Department of Children, Youth Justice and Multicultural Affairs, Youth Justice Pocket Stats 2019–2020, <https://www.cyjma.qld.gov.au/resources/dcsyw/youth-justice/resources/yj-pocket-stats-2019-20.pdf>

¹¹² Productivity Commission, Report on Government Services 2022, table 17A.3

¹¹³ AIHW, Youth detention population in Australia 2021, tables S7, S17, S27

¹¹⁴ 'Changes to the Youth Justice Act 1992', <https://www.cyjma.qld.gov.au/youth-justice/reform/changes-youth-justice-act-1992>

¹¹⁵ 'Victims of crime seek tougher youth sentencing in Queensland, but could that make things worse?', <https://www.theguardian.com/australia-news/2022/jun/19/victims-of-seek-tougher-youth-sentencing-in-queensland-but-could-that-make-things-worse>

¹¹⁶ Productivity Commission, Report on Government Services 2022, table 17A.1

¹¹⁷ Bower C, Watkins RE, Mutch RC, et al. Fetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia. *BMJ Open* 2018

¹¹⁸ Heanue, Alanna, Gullo, Matthew J., Hayes, Nicole, Passmore, Hayley, and Reid, Natasha (2022). Understanding current staff experiences, practices and needs in supporting young people with neurodevelopmental disorders in the Queensland youth justice system. *International Journal of Forensic Mental Health* 21 (4) 372–382. <https://doi.org/10.1080/14999013.2021.201985>



Of the **young people** who came into contact with the **criminal justice system** in **2020**, the **Queensland Government** reports that:¹¹⁹



young people. There is a substantial need for neurodevelopment assessments to be free and accessible for all children and young people in Queensland – in schools, in the community, and within the youth justice system. Appropriate diagnosis will assist in any rehabilitative processes that the justice system seeks to implement.¹²⁰

Since 2016–17, the proportion of children (10–17 years old) in detention in Queensland who are Aboriginal and Torres Strait Islander has ranged from 64% to 73%.¹²¹ This is a significant over-representation, given that Aboriginal and Torres Strait Islander children make up only 7.9% of the Queensland population between the ages of 10 and 17.¹²²

Over the past 20 years, 10,438 children were placed under sentenced youth justice supervision in Queensland and, of these, 4,764 (45.6%) had more than one sentence.¹²³ This was the second highest

number of children imprisoned by any state or territory in Australia, with only NSW cumulatively higher during the same period. However, in contrast to Queensland's 36% growth in the youth prisoner population between 2017 and 2021, NSW decreased its population by 28.3% during the same period.¹²⁴ Victoria, with a larger population than Queensland, imprisoned 4,000 fewer children.¹²⁵ In 2018–19, more than 8 in 10 (85.1%) children who were released from detention in Queensland returned to sentenced supervision within 12 months – this was the worst rate in the nation.¹²⁶

During the same 20-year period, nationally there were 88 children aged from 10 to 13 years of age whose first supervised sentence was detention. Of these, 82 (94%) subsequently received one or more further sentences.¹²⁷ Whatever programs are being employed in these detention facilities are failing 94% of the time – an outcome that would be unacceptable in any other government run or funded program.

119 Department of Children, Youth Justice and Multicultural Affairs, Youth Justice Pocket Stats 2019–2020, <https://www.cyjma.qld.gov.au/resources/dcsyw/youth-justice/resources/yj-pocket-stats-2019-20.pdf>

120 Bower C, Watkins RE, Mutch RC, et al. Fetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia. *BMJ Open* 2018

121 Productivity Commission, Report on Government Services 2022, percentages calculated based on statistics in table 17A.5.

122 Productivity Commission, Report on Government Services 2022, table 17A.28

123 AIHW, Young people returning to sentenced youth justice supervision 2019–20 (2021), Table S6, <https://www.aihw.gov.au/getmedia/9ab91473-38cb-4c2a-83fc-0ba72eae329/aihw-juv-137-Supplementary-tables-2019-20.xlsx.aspx>

124 Percentage increase/decrease calculated from the following dataset: AIHW (2022). Youth detention population in Australia 2021. Table S7

125 AIHW, Young people returning to sentenced youth justice supervision 2019–20 (2021), Table S6, <https://www.aihw.gov.au/getmedia/9ab91473-38cb-4c2a-83fc-0ba72eae329/aihw-juv-137-Supplementary-tables-2019-20.xlsx.aspx>

126 AIHW, Young people returning to sentenced youth justice supervision 2019–20 (2021), Table S16

127 AIHW, Young people returning to sentenced youth justice supervision 2019–20 (2021), Table S2

The use of solitary confinement of children in Queensland youth detention centres requires urgent attention. Of the 30,000 children 'separated' in youth detention for up to 12 hours between June 2021 and June 2022,¹²⁸ 87% were Aboriginal and Torres Strait Islander children who make up 62% of the youth prison population in Queensland¹²⁹. Further, 2,863 instances of 'separation' involved children younger than 14 years of age. Politicians and advocates are calling for further investigation into solitary confinement practices of children, highlighting the harm that isolation causes among often vulnerable young people.

There are serious concerns about both the legality and the damaging impact of holding children in police watch-houses. National Children's Commissioner Anne Hollonds has warned Queensland is systematically breaching human rights by locking up more children in police watch houses, with the Office of the Public Guardian also making multiple complaints on behalf of children who have experienced prolonged stays in watch houses.¹³⁰

There is expert consensus on the need to raise the minimum age of criminal responsibility to 14 years old in Queensland. Other jurisdictions are already moving on this, with the Northern Territory recently announcing that it will raise the age to 12 years old, the ACT committed to raising the age to 14 years old and Tasmania raising the minimum age of detention to 14 years old.¹³¹ The evidence is clear that 14 years old is the *minimum* age developmentally and neurologically that children could or should be held criminally responsible.¹³² There are in fact compelling developmental arguments to suggest this age should be higher.¹³³

Effective supports and interventions for children – especially young Aboriginal and Torres Strait Islander children – are required to provide off-ramps away from the criminal justice system. There is the need for effective supports and interventions that are First Nations community-led, that recognise the role of First Nations Elders and communities, alongside the need for housing and homeless services, support across care and child protection, support to retain engagement in education and health systems, and support to address poverty, trauma and disability, alongside support to develop healthy relationships and family dynamics. There is an opportunity for Queensland to implement and invest in responses that address the drivers of justice system involvement for children.

The Queensland Government has implemented some approaches that aim to improve collaboration and coordination across government departments with regards to youth justice such as the Youth Justice Taskforce and Specialist Multi-Agency Response Teams¹³⁴. However, much more needs to be done. Further efforts are required in Queensland to boost developmentally and age-appropriate prevention, early intervention, and diversion pathways for children and young people, to ultimately reduce the over-incarceration of predominately First Nations youth in detention.¹³⁵ It is equally important that there are efforts to break down siloed support and funding provision in the prevention and early intervention space. There is a strong evidence base in Australia and overseas for primary prevention models such as Communities That Care model. These models mobilise communities to address risk factors that increase the risk of justice system involvement, including harmful substance use, low academic achievement, early school leaving and violence.¹³⁶

¹²⁸ Queensland Parliament (2022). Question on notice. <https://documents.parliament.qld.gov.au/tableoffice/questionsanswers/2022/774-2022.pdf>

¹²⁹ Gillespie, E. (2022). First Nations children account for 84% of Queensland youth detainees put in solitary confinement. The Guardian. <https://www.theguardian.com/australia-news/2022/sep/28/first-nations-children-account-for-84-of-queensland-youth-detainees-put-in-solitary-confinement>

¹³⁰ 'Queensland's youth justice system 'in crisis' amid human rights breaches, children's commissioner warns' <https://www.abc.net.au/news/2022-11-05/qld-commissioner-youth-justice-children-watch-house/101610300>

¹³¹ Morgan, T. NT government to introduce laws raising the age of criminal responsibility and reforming adult mandatory sentencing, ABC news, <https://www.abc.net.au/news/2022-10-13/nt-to-raise-age-of-criminal-responsibility-mandatory-sentencing/101529286>

¹³² Farmer E (2011). The age of criminal responsibility: Developmental science and human rights perspectives, *Journal of Children's Services*, 6: 86-95; Cunneen C (2017). Arguments for Raising the Minimum Age of Criminal Responsibility, Comparative Youth Penalty Project. Sydney: University of New South Wales, <http://cyp.unsw.edu.au/node/146>; Australian Medical Association (2019). AMA submission to the Council of Attorneys-General – Age of Criminal Responsibility Working Group Review.

¹³³ United Nation Convention on the Rights of the Child (2019). General Comment No. 24 (2019) on Children's Rights in the Child Justice System.

¹³⁴ <https://www.cyjma.qld.gov.au/about-us/our-department/partners/youth-justice/youth-justice-initiatives>

¹³⁵ Milroy, H., Watson, M., Kashyap, S. & Dudgeon, P., First Nations Peoples and the Law, page 12, published in the Australian Bar Review, Volume 50, Part B. https://www.lexisnexis.com.au/_data/assets/pdf_file/0008/420974/Australian_Bar_Review_ABR-Volume50_Part3.pdf

¹³⁶ Touborou, J., Rowland, B., Williams, J., Smith, R., 'Community Intervention to Prevent Adolescent Health Behavior Problems: Evaluation of Communities That Care in Australia', *Health Psychology*, 2019, Vol. 38, No. 6, 536–544; J. Hawkins, D., Oesterle, S., Brown, E., Abbott, R., Catalano, R., Youth Problem Behaviors 8 Years After Implementing the Communities That Care Prevention System A Community-Randomized Trial, *JAMA Pediatrics*, 2014;168(2):122–129. doi:10.1001/jamapediatrics.2013.4009. Further reading: <https://www.communitiesthatcare.org.au/research/publications>

All of this underlines the need for effective supports and interventions that are First Nations community-led. The Queensland Local Thriving Communities (LTC) model provides a framework for government and First Nations communities to work together and implement recommendations from the Queensland Productivity Commission's inquiry into service delivery in remote and discrete Indigenous Communities.¹³⁷ The LTC model focuses on handing back self-determination and decision-making authority to First Nations communities so that service design and delivery better meets the needs of each community.¹³⁸ Widespread adoption of this model across all First Nations communities in Queensland, incorporating a whole-of-government funding approach, may enable greater implementation of evidence-based responses that improve social and justice outcomes for First Nations people. This includes the opportunity for enhanced housing and homeless services, support across care and kinship care, support to retain engagement in education and health systems, and support to address poverty, trauma, and disability, alongside support to develop healthy relationships and family dynamics.¹³⁹

¹³⁷ <https://s3.treasury.qld.gov.au/files/Service-delivery-Final-Report.pdf>

¹³⁸ <https://www.dsdsatsip.qld.gov.au/our-work/aboriginal-torres-strait-islander-partnerships/reconciliation-tracks-treaty/tracks-treaty/local-thriving-communities/about-local-thriving-communities>

¹³⁹ <https://www.dsdsatsip.qld.gov.au/our-work/aboriginal-torres-strait-islander-partnerships/reconciliation-tracks-treaty/tracks-treaty/local-thriving-communities>

Queensland can lead with evidence-based reform

Queensland has fallen behind other Australian and comparable international jurisdictions in terms of evidence-based criminal justice policy. The over-use of incarceration, the extraordinarily high costs of incarceration, and the failure of the Queensland justice system should compel us to ask not just *why* this is occurring, but *how* we might do things differently.

All political parties can support efforts to reduce recidivism – there are social, economic, and safety reasons to do so. While prison-by-default policies of successive governments have led to poor outcomes in the criminal justice system, there are promising, evidence-based community-led alternatives that are already working to break cycles of imprisonment (albeit often operating at a very small scale) at different touchpoints both within and outside the justice system.

SYSTEMS CHANGE IN THE COMMUNITY SECTOR – TOWARDS NON-SILOED, FLEXIBLE, LONG TERM SERVICE DELIVERY

There are multiple promising community led programs in Queensland that are already doing remarkable work in breaking cycles of disadvantage for justice system impacted individuals. There is however the need for systemic shifts in the ways in which services and communities are supported to provide programs for children and adults who are working to reduce contact with the justice system. There is the need for community led services, and place based responses, to be funded in ways that genuinely build sustainable long term service delivery capacity. This includes the capacity to adequately pay staff and develop a professionalised workforce. Short term and pilot projects, and inadequate funding for staff, alongside overly onerous reporting requirements can make the core business of quality service delivery, alongside staff retention, much more difficult than what it needs to be. A lack of resourcing for evaluation also makes measurement of success extraordinarily difficult. There is also the need to resource services so that they are able to improve their capacity to be accessible (at every point in the justice system). Too often, people are not able to access services because there is explicit exclusion criteria in terms of sentencing category (for instance many people on remand can't access services in prison); there is exclusion on the basis of location (programs and services are often not available for people in both remote and regional areas); and complexity of need (many people are excluded from services because they have multiple and co-existing support needs, for instance active drug and alcohol addiction and a mental health condition). Services and programs are frequently not supported or resourced to provide the long-term, intensive, holistic, wrap-around support that the research makes clear is extraordinarily effective at reducing justice system involvement.

WHAT WORKS IN KEEPING PEOPLE OUT OF PRISON?

While there is no single 'reform fix' to reduce prison numbers, there are multiple proven, cost-effective alternatives that can both effectively reduce incarceration and improve community safety.

Many of these reforms are already catalogued in an abundance of government and non-government reports and reviews.¹⁴⁰ In addition, there are clear examples and case studies, across Australia, including in Queensland and internationally, that point to approaches that are led by the community and health sectors. These programs make a profound difference in disrupting entrenched criminal justice system trajectories.¹⁴¹ There is also a growing body of more formal research exploring the impact of various models of support,¹⁴² though lack of funding has limited the level of evaluation for many programs and organisations and needs to be addressed.

There is an opportunity for Queensland to increase investment in community-based support and services that work to prevent people at risk of entering the justice system. There is also the opportunity for Queensland to increase diversionary options, both at the point of interaction with police and when an individual appears in court. If a person does go to prison, it is fundamental that there are support programs inside custody that are meaningful and valuable in terms of preparing people for release.¹⁴³

Raising the minimum age of criminal responsibility and ensuring there are strong community-based interventions for children at risk of encountering the criminal justice system is critical. The evidence is clear that 14 years old is the **minimum** age, developmentally and neurologically, that children could or should be held criminally responsible.¹⁴⁴

Interventions for children and young people must also consider the evidence and neuroscience surrounding child and adolescent development.¹⁴⁵ Our childhood experiences, environments, and parental interactions shape how we function later in life.¹⁴⁶ Similarly, the experiences and environments we encounter as adolescents influence our ability to develop new skills and to lead healthy and productive lives. There is an opportunity for Queensland to increase investment in developmentally and age-appropriate alternatives to detention that target the factors that contribute to young people ending up in the youth justice system, as well as investment and supports for the children who are currently trapped in the youth justice system.

There is clear evidence about the effectiveness of specialist courts in diverting people from the justice system¹⁴⁷, the effectiveness of pre-charge and other kinds of diversion¹⁴⁸, the effectiveness of shifting legislative frameworks in reducing re-offending¹⁴⁹, specific diversionary programs, including diversionary programs for at-risk children¹⁵⁰ and restorative and transformative justice.¹⁵¹

140 For example, as detailed in <https://www.alrc.gov.au/publication/pathways-to-justice-inquiry-into-the-incarceration-rate-of-aboriginal-and-torres-strait-islander-peoples-alrc-report-133/2-context-social-determinants-of-incarceration/>; <https://www.era.gov.au/cproot/13942/2/Final%20Report%20-%20Inquiry%20into%20the%20Efficiency%20and%20Performance%20of%20Western%20Australian%20Prisons.PDF>

141 See: WEAVE, Creating Futures (Evaluation report, April 2020); Women's Justice Network, Adult Mentoring Program (Evaluation report, 2016); Community Restorative Centre, Alcohol and Other Drugs Transition Program (Evaluation report, 2016); Sotiri, M (2016) Churchill Fellowship report; M Sotiri and S Russell, 'Pathways home: How can we deliver better outcomes for people who have been in prison?', Housing Works, Vol. 15, No. 3, 2018, 41; M Borzycki and E Baldry, 'Promoting integration: The provision of prisoner post-release services', Trends and Issues in Crime and Criminal Justice, Australian Institute of Criminology: Canberra, No. 2, 2003; J Gilbert and B Elley, 'Reducing recidivism: An evaluation of the pathway total reintegration programme', New Zealand Sociology, Vol. 30, No. 4, 2015, 15–37; B Angell, E Matthews, S Barranger, A Watson and J Draine, 'Engagement processes in model programs for community re-entry from prison for people with serious mental illness', International Journal of Law and Psychiatry, Vol. 37, 2014, 490–500; B Hunter, A Lanza, M Lawlor, W Dyson and D Gordon, 'A strengths-based approach to prisoner re-entry: The fresh start prisoner re-entry program', International Journal of Offender Therapy and Comparative Criminology, Vol. 60, No. 11, 2016, 1298–314; D Padgett, L Gulcur and S Tsemberis, 'Housing first services for people who are homeless with co-occurring serious mental illness and substance abuse', Research on Social Work Practice, Vol. 16, No. 1, 2006, 74–83; S Kendall, S Redshaw, S Ward, S Wayland and E Sullivan, 'Systematic review of qualitative evaluations of re-entry programs addressing problematic drug and alcohol use and mental health disorders amongst people transitioning from prison to communities', Health and Justice, Vol. 6, No. 4, 2018; Sotiri, M (2020) Building Pathways Out of the Justice System: Supporting Women and Reducing Recidivism, in Precedent Issue 161, November/December 2020

142 McNeill, F., Farrall, S., Lightowler, C., and Maruna, S. (2012) Re-examining evidence-based practice in community corrections: beyond 'a confined view' of what works. Justice Research and Policy, 14 (1) UNSW Sydney.

143 For a recent local example, see: Mercer, et al (2021) The Violence Prevention Program in South Australia: A recidivism and cost-benefit analysis pilot study, in Criminal Justice and Behaviour 2021

144 See Cunneen C (2017). Arguments for Raising the Minimum Age of Criminal Responsibility. Comparative Youth Penalty Project. Sydney: University of New South Wales. <http://cyp.unsw.edu.au/node/146>; Cunneen C, Russell S & Schwartz M (2021). Principles in diversion of Aboriginal and Torres Strait Islander young people from the criminal jurisdiction, Current Issues in Criminal Justice, 33: 170–190; Farmer E (2011). The age of criminal responsibility: Developmental science and human rights perspectives, Journal of Children's Services, 6: 86–95; United Nations Convention on the Rights of the Child (2019). General Comment No. 24 (2019) on Children's Rights in the Child Justice System.

145 https://www.researchgate.net/publication/323241971_The_Neurobiology_of_Offending_Behavior_in_Adolescence

146 The Front Project, 'How Australia can invest in children and return more: A new look at the \$15b cost of late action', https://www.thefrontproject.org.au/images/downloads/THE_COST_OF_LATE_INTERVENTION/Technical_Report-How_Australia_can_invest_in_children_and_return_more.pdf?vers=1.1

147 Australian Law Reform Commission, Specialist courts and diversion programs (2017), <https://www.alrc.gov.au/publication/incarceration-rates-of-aboriginal-and-torres-strait-islander-peoples-dp-84/11-access-to-justice-issues/specialist-courts-and-diversion-programs/>

148 NSW Bureau of Crime Statistics and Research, Diversion (accessed 2021), https://www.bocsar.nsw.gov.au/Pages/bocsar_topics/Diversion.aspx; College of Policing, Police led pre-charge diversion models for young people (accessed 2021), <https://whatworks.college.police.uk/toolkit/Pages/Intervention.aspx?InterventionID=65>; Eugene Police Department (2021), Cohoots, <https://www.eugene-or.gov/4508/CAHOOT>

149 Agan, AY, Doleac, JL & Harvey, A, Misdemeanor Prosecution (2021), National Bureau of Economic Research (2021), <https://www.nber.org/papers/w26800>; After crime plummeted in 2020, Jackman, T, Washington Post (2021), Baltimore will stop drug, sex prosecutions, <https://www.washingtonpost.com/dc-md-vb/2021/03/26/baltimore-reducing-prosecutions/>

150 Semiczuk, M; Shakeshaft, A; Knight, A; Maple, M; McKay, K; Shakeshaft, B (2012) An Analysis of the Relationship between a community-based program for young people with multiple and complex needs and the prevalence of crime, NDARC Monograph No. 65

151 Deakin-Greenwood, T, To explore victim-centred restorative justice programs for sexual assault and personal violence (accessed 2021), Winston Churchill Trust, <https://www.churchilltrust.com.au/project/to-explore-victim-centred-restorative-justice-programs-for-sexual-assault-and-personal-violence/>

There is a strong research base to show that if society were to adequately invest in programs and supports for people leaving prison, rates of recidivism could be significantly reduced.¹⁵² The consequences of this are fewer victims of crime and less cost to the taxpayer.

There are also case studies that point to positive outcomes in reducing justice system contact in several place-based Aboriginal-led programs in remote communities, including Maranguka and Yuwaya Ngarra-li in New South Wales. A life skills program that provides an alternative to custody for women in Alice Springs is also yielding positive results, as is the Tiraapendi Wodli project in South Australia. In Western Australia, Olabud Dooghetu in the Kimberley contributed to a 46% reduction in burglaries in 2019, while the Armadale Youth Intervention Partnership saw a 50% reduction in reoffending among those who finished the program.¹⁵³ The Yiramin Project – which is run by the Elders of four Kimberley language groups to reconnect their young people to culture while also reducing contact with the criminal justice system, substance abuse and suicide – has received numerous awards and positive evaluations.¹⁵⁴ A three-year evaluation found it reduced participants' subsequent contact with the criminal justice system, with some concluding that it was better than most other sentencing and diversionary options in this regard.¹⁵⁵

One recent piece of NSW research using a time-series analysis and NSW Bureau of Crime Statistics and Research (BOCSAR) reoffending data found the intervention of a post-release service resulted in an immediate and sustained 65.8% reduction in contact with the criminal justice system.¹⁵⁶ This same piece of research found cost-savings to the justice system of \$16 million over three years for a cohort of 275 clients.¹⁵⁷ This does not incorporate other institutional or community savings. Evaluations of Sisters Inside programs in QLD have also reported extraordinarily positive outcomes.¹⁵⁸

Investing in evidence-based services instead of incarceration will break entrenched cycles of engagement with the criminal justice system and recidivism. In addition to creating substantial cost-savings to government, this approach will have enormous benefits for populations who have too often been 'managed' in justice systems, rather than being supported in the community.

'Tough on crime' rhetoric does not make the community safer, nor does our current over-use of imprisonment. If we genuinely want to build a safer, more cohesive community, we need to invest in community-led programs that address the drivers of crime and incarceration.

There is an opportunity for Queensland to invest in programs that provide opportunities for people who are trapped in the cycle of incarceration to rebuild their lives in the community. We need to embrace a criminal justice model that genuinely relegates prisons to a position of last resort, and instead centres community-led interventions that really work to break cycles of disadvantage, reduce reoffending, and build safer communities.

¹⁵² See Sotiri, McCausland, Reeve, Phelan and Byrnes, 2021, 'They're there to support you and help you, they're not there to judge you', *Breaking the cycle of incarceration, drug use and release: Evaluation of the Community Restorative Centres AOD and Reintegration Programs*; NSW Health Report; Semczuk, M; Shakeshaft, A; Knight, A; Maple, M; McKay, K; Shakeshaft, B (2012) *An Analysis of the Relationship between a community based program for young people with multiple and complex needs and the prevalence of crime*, NDARC Monograph No. 65.

¹⁵³ Social Reinvestment WA, *The Case for Smart Justice Alternatives*, 30 March 2021, pp. 3-4

¹⁵⁴ The Yiramin Project in West Kimberley: An example of Justice Reinvestment <<https://apo.org.au/sites/default/files/resource-files/2017-07/apo-nid116631.pdf>>; Yiramin Youth Justice Diversion Program <<http://kalacc.org/wp-content/uploads/2018/06/yiramin-youth-justice-diversion-business-plan-2016.pdf>>; Best practice – Prevention – Yiramin Project – Evaluation <<https://cbpatsisp.com.au/clearing-house/best-practice-programs-and-services/programs-for-preventing-youth-suicide/>>;

¹⁵⁵ Tamara Tulich and Harry Blagg, *Indigenous youth with foetal alcohol spectrum disorder need Indigenous-run alternatives to prison* 7 April 2016 <<https://theconversation.com/indigenous-youth-with-foetal-alcohol-spectrum-disorder-need-indigenous-run-alternatives-to-prison-56615>> Note: look for original evaluation. This source is an article citing the evaluation.

¹⁵⁶ See Sotiri, McCausland, Reeve, Phelan and Byrnes, 2021, 'They're there to support you and help you, they're not there to judge you' *Breaking the cycle of incarceration, drug use and release: Evaluation of the Community Restorative Centres AOD and Reintegration Programs*; NSW Health Report

¹⁵⁷ Ibid

¹⁵⁸ <http://sistersinsidereasearchhub.com.au/index.php/sisters-inside-service-program-evaluations/>



The Justice Reform Initiative is an alliance of people who share long-standing professional experience, lived experience and/or expert knowledge of the justice system, who are further supported by a movement of Australians of good-will from across the country who all believe jailing is failing, and that there is an urgent need to reduce the number of people in Australian prisons.

The Justice Reform Initiative is backed by eminent patrons, including former Governors-General Dame Quentin Bryce AD CVO and Sir William Deane AC KBE as patrons-in-chief.

Other patrons include: former justices of the High Court, a former state Chief Justice and judges from other courts; respected Aboriginal and Torres Strait Islander leaders; a former Federal Police Commissioner, Director of Public Prosecutions, former Australians of the Year and numerous former Federal and state Ministers from both sides of politics. A full list is available [here](#).

The Justice Reform Initiative deeply appreciates the support of the Paul Ramsay Foundation.

The Initiative respectfully acknowledges and supports the current and longstanding efforts of Aboriginal and Torres Strait Islander people to reduce the numbers of Indigenous people incarcerated in Australia and, importantly, the leadership role which Indigenous-led organisations continue to play on this issue. We also acknowledge the work of many other individuals and organisations seeking change, such as those focused on the rate of imprisonment for women, people with mental health issues, people with disability and others.

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