Value of a justice reinvestment approach to criminal justice in Australia

This submission specifically refers to the over-representation of Aboriginal and Torres Strait Islander peoples in Australian prisons and suggests arts intervention and community development strategies as an alternative to imprisonment.

About Big hART

Big hART is Australia's leading social and cultural innovation company, winner of multiple awards including 8 COAG Awards and a WHO Safe Community Award. Big hART has a tradition of creating new works in and with regional and remote communities. Big hART's projects work on three levels; engaging with an identified community through community development processes, high quality art outcomes, and contributing to social policy development.

Big hART was founded in Burnie, Tasmania in 1992 as a response to economic and social upheaval. A not-for-profit organisation, it began piloting task-focused, long-term projects with those at risk, providing new opportunities for them to participate socially and economically, as well as creating art of the highest quality. Big hART has since expanded nationally, and programs have assisted over 7,000 people, experiencing disadvantage in 45 communities across Australia, helping them to make sustained changes in their lives.

What sets Big hART apart is the consistent output of highly acclaimed films, performances and artworks which have enriched national and international festivals, simultaneously giving voice to people whose stories are not often heard. In the last twelve years, Big hART has presented 18 major professional works, to high acclaim, in over 12 Australian and International festivals.

From its inception in 1992, Big hART has worked with many people already in the justice system, and many others at risk of offending in regional, remote and marginalised communities throughout Australia. Its unique model of community cultural development is an example of the kinds of programs the Australian government should implement as part of a justice reinvestment strategy. One of its current projects, Yijala Yala Project, based in Roebourne, WA is specifically working with people in Roebourne Regional Prison as well as young people currently in the juvenile justice system or at high risk of offending soon. It is within this context that we offer this submission on the value of a justice reinvestment approach to criminal justice in Australia.

The Big hART Model

Big hART works with identity and culture and these two fundamental ideas underpin the company's work.

Big hART gives those on the margins of the community the opportunity to be involved in task focused, non-welfare arts projects as part of a large creative team, to make high-quality art. This art is based on the participant's stories and that of the community they are part of. The projects usually takes 150 weeks, and the range of activities and mentoring provided creates the opportunity for these individuals to reconsider questions of identity and ask questions about their social trajectory. The art they make, the skills and involvement in making it and the narrative it highlights will all affect the local community and, when presented intelligently in national fora, will help change the way others view this group's story.

Thus, Big hART's process focuses on individuals, communities, and the broader nation, to produce art. The process and outcomes for each group are as follows:

Individuals – (building social and economic participation)

Contact; end of isolation; listening; transport; support in crisis problem solving; building new links; encouraging help-seeking behaviour; friendships rather than client-hood; careful use of language; relationship building; fun; creativity; life skills; referrals to agencies; telling story; making art; task focused; intergenerational inclusion; intercultural inclusion; enhanced skills; participation in education and employment.

If the individuals change behaviour and develop, then their community needs to change in response.

Communities - (building connections and capacity for change)

Producing stronger connections; encouraging new producers; creating an open crowd; producing beautiful art; promoting the community; developing skills and capabilities; expanding horizons; creating additional resources; using the media; improving collective well being; promoting sustainability while avoiding empire building; intergenerational inclusion; intercultural inclusion; maintaining a broad focus in defining community; linking communities nationally; evaluation; research.

If the individuals and community both develop, the project needs to input these findings into social policy to change in response.

Nation – (contributing to social policy change)

Media savvy; taking risks; focusing on the meta-narrative; building links to government and advisors; good use of evaluation and academia; focus on the excellence of the art and its access to fora; apply and pass on the key learnings; promote the local community; produce and promote iconic new works; change perceptions of what is possible; link funding silos; think long term.

Big hART continues to experiment with creative and community processes. In its early years Big hART worked primarily with young offenders in single art-form projects. Today it works inter-generationally, creating projects within and across different platforms and media. This evolution has come from ongoing experimentation and the unique context of each project, in each new community, on each issue, and the exploration of innovative approaches to problem solving.

At the core of each of these three areas of our work is the making of excellent art.

The Yijala Yala Project in Roebourne, WA

Since 2010, Big hART has been working in the marginalised community of Roebourne in northern Western Australia. This long-term and ever evolving community development, cultural maintenance, arts and social change project uses arts and digital media skill-building to engage and connect young people with their elders and culture, increase their education and employment opportunities and to tell the stories of the community through music, digital media and a high profile touring theatre work. The project delivers arts-based workshops in the prison, school and wider community that work to build individual capacity through positive social engagement, mentoring and role modelling.

The project works with a core group of 30 young people and their families who participate in music, digital media and theatre workshops both in school and after school, as well as delivering twice-weekly music workshops in the prison.

Long-term objectives of the project:

- Create high-end art that tells Roebourne's story and generates healing for the community
- Breakdown negative stigma about the community that exists among outsiders in the region, state and nation by producing content of excellence, and advocate for the name of the prison to be changed to remove Roebourne from its name as part of this strategy
- Advocate for better conditions for inmates in the prison i.e. long-term arts programs, air-conditioning in every cell
- Divert a group of young people from the justice system so they may grow up to be future cultural leaders of the community
- Assist in facilitating healing for Mavis Pat (mother of John Pat, the young boy who died in police custody in Roebourne in 1983) and her family by the telling of her son's story as part of the major theatre work

Our learnings about the community that indicate the need for Justice Reinvestment

- Most young people commit crime out of boredom, lack of supervision and discipline by parents or from peer group pressure (i.e. winning the approval of older kids)
- Many people from Roebourne are imprisoned due to traffic offences (or by not paying fines) or from alcohol-related crime
- Less people are charged when there are good relationships between police officers and community members
- Less people are imprisoned when magistrates have a better understanding of a community's issues
- Arts programs in the prison have positive effects on inmates mental health and reduce recidivism
- Arts programs in the community and school have positive effects on young people's behaviour
- Kids with strong supervision and inclusion in cultural activities by parents and grandparents are less likely to commit crime

Our recommendations at a local level that could be taken up nationally

- Invest in intergenerational programs which serve to divert people from criminal activity (e.g. cultural archiving, land management, cultural mapping, cultural tourism etc)
- Invest in meaningful, community-led programs for young people who commit crime as alternatives to juvenile detention or prison (the Yiriman Project from Fitzroy Crossing for example)
- Invest in culturally-appropriate, community led rehabilitative programs for people addicted to alcohol and other substances
- Ensure all police and magistrates undertake cultural training and local language and culture inductions that include the community's history
- Across all of these strategies, implement the Closing the Gap policy imperatives of:
    - Addressing decades of under-investment in services, infrastructure and governance;
    - Fostering community-led solutions and helping to rebuild the positive social norms that underpin daily routines like going to school and work; and
    - Changing the relationship between Indigenous and non Indigenous Australians to one based on mutual knowledge and respect

Specific recommendations in regards to Roebourne and Roebourne Regional Prison

- Install air-conditioning in all cells
- Consider renaming the prison so it does not stigmatise the town of Roebourne
- Invest in ongoing cultural programs in the prison which maintain post release support with participants
- Ensure all prison officers undertake cultural training and local language and culture inductions
- Erect memorial to John Pat in Roebourne
- An apology to the Pat family and Roebourne community from state and national government's that acknowledges hurt and grief over John Pat's death, and a commitment to reducing Aboriginal and Torres Strait Islander people rates of imprisonment