Project News

- Ethics approval has been granted to undertake interviews with key academics and personnel from the various organisations involved with coordinating the implementation of JR in the United States, in New York and Washington. CIs David Brown, Melanie Schwartz and Chris Cunneen will travel to the US to conduct this first round of interviews in the US in November 2013.

- The AJR Project’s website continues to develop: [justicereinvestment.unsw.edu.au](http://justicereinvestment.unsw.edu.au)

Recent developments include the addition of powerpoint slides from a number of presentations by AJR Project members and an updated media section.

The site also houses a bibliographic database of key JR documents in Australia and around the world, as well as serving as a repository of in-progress and completed AJR Project research. We continue to add materials and develop content as this website is intended to be the ‘go to’ place for researchers and others in the community interested in JR in Australia.

- CI Melanie Schwartz spoke with Christine Heard, World News Australia, SBS, about the potential of Justice Reinvestment. Watch the segment on [Youtube](http://www.youtube.com). Read Christine's blogs 'Breaking the crime cycle through justice reinvestment' and 'The future of justice reinvestment'.
CI Chris Cunneen recently presented a public lecture titled ‘A New Way of Doing Justice’ as part of the Courtenay Lecture Series, JCU. The lecture has been named in honour of Professor Philip Courtenay, former Rector of the James Cook University, Cairns Campus. You can listen to the podcast here or via the AJR Project website.

International Travels

In June, CIs Melanie Schwartz and Chris Cunneen travelled to Bali to present “Justice Reinvestment in Australia: Reasons for Caution” at the Criminal Lawyers Association of the Northern Territory. Their paper provided an introduction to justice reinvestment as it has developed in the United States and considered its applicability in Australia, particularly in relation to Indigenous people. We are broadly supportive of justice reinvestment as a strategy to reduce imprisonment rates and to reinvest in impoverished communities where offending levels are high and the use of imprisonment is a regular occurrence. However we are also acutely aware of the pitfalls and problems that surround justice reinvestment, many of which are already manifest or emerging in the US experience.

In July, CIs Julie Stubbs and Chris Cunneen travelled to Canada to present on JR at Law on the Edge, jointly presented by the Canadian Law and Society Association and the Law and Society Association of Australia and New Zealand at the University of British Columbia.

CI Chris Cunneen and Simone Rowe (JCU) presented a paper titled “Changing Narratives: Indigenous Knowledges as a Critique of Criminal Justice”. Indigenous systems of knowledge, law and governance were attacked and devalued by colonial institutions on the basis of their racially-defined inferiority. In contemporary legal, criminological and social work theory, research and practice, Indigenous knowledge continues to be considered as secondary to dominant Eurocentric traditions of law and science. To date, there
has been limited engagement in these disciplines with either postcolonial theory or Indigenous knowledges. All research paradigms consist of an ontology, an epistemology, a methodology and an axiology. In the context of criminal justice theory and practice, this schema provides a useful tool to shift the epistemological priority given to certain forms of knowledge, to question the centrality of western understandings of crime and control, and to treat seriously the importance of Indigenous ways of seeing and knowing. The paper explored these issues, particularly through an examination of two areas of criminal justice intervention: risk analysis and rehabilitation.

CI Julie Stubbs presented her paper titled 'Gendering Justice Reinvestment: Assessing the Prospects for Reducing Women's Imprisonment'. Justice Reinvestment is being actively promoted as one means of reducing high levels of incarceration through diverting expenditures from prisons to local communities to fund services intended to provide support and supervision for offenders within the community and to prevent crime. Based on claims that Justice Reinvestment schemes in the US have produced promising results, some activists and politicians in Australia have urged the adoption of Justice Reinvestment. This advocacy has emphasised the need to find mechanisms to reduce the very high levels of incarceration of Indigenous people. Women’s imprisonment rates have increased substantially in recent years and to a greater extent than rates for men. This pattern has been observed in several jurisdictions and is even more pronounced for Indigenous women. This paper critically examines features of Justice Reinvestment, such as its endorsement of ‘evidence based policy’ and risk assessment tools, to question whether these features are likely to promote the interests of Indigenous women.

Continuing this theme, CI Julie Stubbs also travelled in July to Spain to present at a workshop entitled ‘Law, Gender and Sexuality in an Age of Austerity’ hosted by the Institute for the Sociology of Law, Onati. Julie’s presentation was titled “Downsizing Prisons in an Age of Austerity? Justice Reinvestment and Women’s Imprisonment”.
Launch of *Penal Culture and Hyperincarceration: The Revival of the Prison*

Chris Cunneen, David Brown and Melanie Schwartz along with Eileen Baldry, and Alex Steel, University of New South Wales, Australia and Mark Brown, University of Melbourne, Australia have recently published *Penal Culture and Hyperincarceration: The Revival of the Prison*, a book which grew out of the Australian Prisons Project. The Australian Prisons Project is national research investigating the re-emergence of the prison as the primary criminal justice strategy in Australia since the 1970s and was funded by a grant from the Australian Research Council from 2008-2010.

**Blurb:** What are the various forces influencing the role of the prison in late modern societies? What changes have there been in penalty and use of the prison over the past 40 years that have led to the revalorization of the prison? Using penal culture as a conceptual and theoretical vehicle, and Australia as a case study, this book analyses international developments in penalty and imprisonment. Authored by some of Australia’s leading penal theorists, the book examines the historical and contemporary influences on the use of the prison, with analyses of colonialism, post colonialism, race, and what they term the ‘penal/colonial complex,’ in the construction of imprisonment rates and on the development of the phenomenon of hyperincarceration. The authors develop penal culture as an explanatory framework for continuity, change and difference in prisons and the nature of contested penal expansionism. The influence of transformative concepts such as ‘risk management’, ‘the therapeutic prison’, and ‘preventative detention’ are explored as aspects of penal culture. Processes of normalization, transmission and reproduction of penal culture are seen throughout the social realm. Comparative, contemporary and historical in its approach, the book provides a new analysis of penalty in the 21st century.

**Reflections:** ‘The cutting edge theorizations and focus on colonialism and racism by Australia’s leading penal theorists make this book an outstanding and original exercise in comparative and historical criminology.’ Pat Carlen, University of Kent, UK

‘This is a compelling account of contemporary penal development in Australia and its underlying causes. In what is a rarity, the analysis is based on research in each state. It will be of great interest both in Australia and beyond.’ John Pratt, Victoria University of Wellington, New Zealand

‘The revalorization of imprisonment is a development that has shocked and dismayed experts around the world. This remarkable book examines the prison’s changing meanings, traces its shifting place in contemporary culture, and offers penetrating insights into the social and political processes that explain the surprising resurgence of this 19th century institution in the 21st century.’ David Garland, New York University, USA and author of *The Culture of Control and Peculiar Institution*
If you are new to JR: Introducing the AJR Project.

The Australian Justice Reinvestment Project (AJR Project) is a two year ARC Discovery project. The AJR Project will examine the characteristics of Justice Reinvestment (JR) programs used in the US and elsewhere which reduce spending on prisons and reinvest the savings in high crime communities, to reduce crime and build community services, and analyse whether such programs can be developed in the Australian context.

The research team are optimistic about the promise of JR for reducing the numbers of people in prison. However, we also consider that there is a danger that JR might be adopted in Australia without the kind of firm foundations that will maximise its chance of success. Because of this, the Project has two primary areas of focus:

1. A thorough examination of the theoretical foundations of JR.
2. The suitability of JR to the Australian penal context.

The research will draw on a mixed methods approach including theoretical and policy analysis, legal research, workshops and interviews. This approach is designed to simultaneously facilitate a conceptual unpacking of the theoretical underpinnings of JR via documentary analysis, and a practical investigation of the applicability of JR to the Australian corrections context through the gathering of qualitative data from relevant international and domestic stakeholders. Meeting the Project’s aims will involve consideration of key issues necessary for an informed adoption of the JR approach in Australia and culminate in a final report that will provide an assessment of the potential for JR in Australia.

Meet the Team

Chief Investigators:
- Emeritus Professor David Brown (UNSW)
- Professor Chris Cunneen (JCU/UNSW)
- Melanie Schwartz (UNSW)
- Professor Julie Stubbs (UNSW)

Research Associate:
- Courtney Young (UNSW)

Research Intern:
- Shannon Longhurst (USyd)

Research Assistants:
- Scarlet Wilcox (PhD candidate, UNSW)
- Samara Hand (Law student, UNSW)

The AJR Project newsletter is designed to update stakeholders and interested parties in the progress of the project’s research. For further information, please contact: Courtney Young, Research Associate, AJR Project, UNSW, Sydney. Email: mailto:courtney.young@unsw.edu.au