

Item 3.1

Support for the Justice Reform Initiative and Criminal Justice Reform

File No: S051491

Minute by the Lord Mayor

To Council:

Vibrant, liveable cities are inclusive cities. They are also safe cities.

At the City of Sydney, we welcome the contributions made by all people and we work hard to build social cohesion and combat disadvantage.

Yet despite our best efforts, widespread disadvantage persists. Sydney is Australia's least affordable city and homelessness is at unprecedented levels. While unemployment is low, insecure work is high, creating a new class of working poor. And although we have come a long way in our understanding of mental illness and substance abuse, specialist services for treating these conditions are stretched beyond capacity, especially since Covid.

The relationship between these sources of disadvantage and incarceration is clear. Homelessness, unemployment, mental illness and substance abuse are both a cause and a consequence of incarceration.

In NSW, complex health issues are much higher among people in prison than the general population, 50 per cent of people released from prison are homeless and two-thirds of those who return to gaol were unemployed at the time they committed their offence.

Aboriginal and Torres Strait Islander people have the unfortunate distinction of being the most incarcerated people in the world. In NSW, Aboriginal and Torres Strait Islander adults make up 26 per cent of the prison population despite making up just three per cent of the general population. And Aboriginal and Torres Strait Islander children account for 42 per cent of children in custody despite making up just six per cent of the general population between the ages of 10 and 17.

I am pleased to say the relationship between police and Aboriginal and Torres Strait Islander young people in the City of Sydney has improved greatly since I first represented Redfern in the 1980s. However, as long as kids between the ages of 10 and 13 can be deemed criminally liable for their actions, too many children will come into contact with the criminal justice system instead of getting the help they need at home and at school.

I know of a 12-year-old Aboriginal boy in the City of Sydney who was recently charged with larceny for taking a \$1 Slurpee from a convenience store. His home was searched by police and his school records were obtained with a view to showing he knew right from wrong. His mother – a sole parent – took time off work to attend her son's police and court dates.

I am not suggesting we turn a blind eye to shop lifting. But I am suggesting this is an expensive and wholly ineffective way of dealing with a young child who took a drink from a store.

We also know that women's prisons are full of victim-survivors of domestic violence. Across Australia, around 70 per cent of women in gaol have been in an abusive relationship, with this figure rising even higher for Aboriginal and Torres Strait Islander women in gaol.

And even though we lock all of these people up – at a cost of \$1 billion a year in NSW and \$5 billion a year across Australia – gaols are not leading to a reduction in crime. Fifty per cent of people released from prison in NSW will return to prison within two years.

Australia's punitive response to disadvantage – which has been pursued by both sides of politics for the last 30 years – is not working. It's not working for offenders of crime, it's not working for victims of crime and it's not working for the community at large.

This is why I am so pleased to welcome the formation of the Justice Reform Initiative, a bipartisan organisation seeking evidenced-based criminal justice policies across Australia that identify alternatives to incarceration and enhance community safety.

I also encourage other Councils to support this campaign. Though States and Territories are primarily responsible for crime, housing and health, as the level of government closest to the community we see the fallout from the lack of investment in social services every day.

To the Chair of the Justice Reform Initiative, Robert Tickner AO, and the many other prominent Australians who are campaigning for a more compassionate and effective response to disadvantage and crime - we support your campaign.

Recommendation

It is resolved that:

(A) Council:

- (i) reaffirm its commitment to building social cohesion and combatting disadvantage;
- (ii) note the well-established nexus between incarceration and homelessness, unemployment, mental illness, substance abuse and other socioeconomic causes of crime;
- (iii) note the over-representation of Aboriginal and Torres Strait Islander people, and the high number of women who are victim-survivors of domestic violence, in NSW gaols;
- (iv) note that \$1 billion dollars is spent on running NSW gaols each year;
- (v) note that 50 per cent of those who are released from NSW gaols return within two years;
- (vi) welcome the formation of the Justice Reform Initiative, a bipartisan organisation seeking evidenced-based criminal justice policies across Australia that identify alternatives to incarceration and enhance community safety;
- (vii) call on all NSW parliamentarians to support evidenced-based criminal justice policies, including those that address the underlying causes of crime such as homelessness, unemployment, mental illness and substance abuse; and

- (viii) call on all NSW parliamentarians to raise the age of criminal responsibility; and
- (B) the Lord Mayor be requested to write to the NSW Premier and Attorney General, and the Leader of the Opposition and Shadow Attorney General, expressing Council's support for the Justice Reform Initiative's campaign for:
 - (i) evidenced-based criminal justice reform;
 - (ii) reduced incarceration; and
 - (iii) a greater emphasis on addressing the sources of disadvantage that lead to, and flow from, incarceration.

COUNCILLOR CLOVER MOORE

Lord Mayor