

Frequently Asked Questions: National Justice Reinvestment Commitments

Below is a working compilation of key questions around the Australian Government’s commitment to justice reinvestment. This resource will be regularly updated with new information as the design and implementation of this historic commitment progresses. If you seek further clarification on any matters relating to the design and delivery process of the Australian Government’s commitment to justice reinvestment, please contact justicereinvestment@nintione.com.au.

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1 Understanding justice reinvestment

a) What is justice reinvestment?

Justice reinvestment is a way of working that shifts power and decision making to First Nations communities to self-determine the best way to improve justice outcomes in their community. It works by bringing together local First Nations people to share data, evidence, their lived experiences and expertise to design and develop a holistic justice response that is unique to their local community.

Although the specific priorities of each community may vary each JR initiative will commonly adopt a life course approach to crime by focusing on early intervention and prevention in intersecting areas of justice. These may include but are not limited to policing, health, housing, education, employment, family support along with access to culture and language. Whilst working primarily at the local level JR also provides communities with the tools to advocate their experiences into broader calls for systems change including within service delivery and law or policy reform.

The core elements of JR have been described as:

- **Community-led** - having strong local First Nations community leadership.
- **Place-based** - focused on achieving positive change in a particular place.
- **Data-driven** - using both government data and community expertise to inform decisions.
- **Justice-focussed** – working to address drivers of offending and incarceration.

For further information on justice reinvestment, see [Justice Reinvestment in Australia: a review of progress and key issues](#) or [visit the Justice Reinvestment Network Australia's website](#).¹

b) Are there any examples of justice reinvestment working?

Existing initiatives such as the [Maranguka Justice Reinvestment project in Bourke, NSW](#), show the potential of justice reinvestment in Australia. A 2018 assessment of the Maranguka project by KPMG found it had a gross economic impact of \$3.1 million in 2017, and delivered:

- 23% reduction in police recorded incidents of domestic violence and comparable drops in rates of offending;
- 38% reduction in charges across the top five juvenile offence categories;
- 14% reduction in bail breaches; and
- 42% reduction in days spent in custody.²

¹ Justice Reinvestment in Australia: a review of progress and key issues was published by Dr Fiona Allison and Professor Chris Cuneen in partnership with the Jumbunna Institute for Indigenous Education and Research, University of Technology Sydney and the Justice Reinvestment Network Australia (JRNA) and is open access available via the JRNA website at: https://jrna228913579.files.wordpress.com/2022/07/national-report_jr.pdf.

² KPMG, Maranguka Justice Reinvestment Project: Impact Assessment (November 2017). Available at: <https://www.indigenousjustice.gov.au/resources/maranguka-justice-reinvestment-project-impact-assessment/>.

Similarly, the [Olabud Doogethu Justice Reinvestment project in the Shire of Halls Creek, WA](#) reported a significant reduction in offences and number of days spent in custody between 2017 and 2020, following the project's introduction.³

Whilst acknowledging the ongoing efforts and promise demonstrated by the work of Maranguka, Olabud Doogethu and other emerging justice reinvestment sites it is critical to recognise that the 'success' of justice reinvestment cannot be measured solely by population level shifts in data such as offending or imprisonment. The drivers of incarceration and various justice systems are more complex and interdependent with so many of the levers for change sitting outside the strengths and power of community. This is why the long-term success and sustainability of the National Justice Reinvestment Program relies on the commitment of government and service providers to work in genuine partnership with communities. This includes to support First Nations leadership to drive place-based justice reinvestment initiatives along with the commitment to enact transformative systems change within service delivery, law and policy reform. Justice reinvestment is a long-term, continuous commitment for communities and government to work hand in hand towards a stronger, safer future. It is not an immediate solution, however, these examples highlight the promise of community-led justice reinvestment initiatives to achieve real and necessary change.

2 The Australian Government's commitment to justice reinvestment

a) What is the funding commitment made by the Australian Government to justice reinvestment?

Through the October 2022–23 Budget, the Australian Government committed \$81.5 million to be invested in justice reinvestment initiatives across the country. Over the next four years (2022-2025), this will include:

- \$69 million in grants funding to support place-based community-led justice reinvestment initiatives in up to 30 communities; and
- \$12.5 million to establish an independent National Justice Reinvestment Unit to coordinate and support justice reinvestment initiatives at a national level.

Importantly, the Australian Government's commitment to justice reinvestment is ongoing, with an annual commitment for justice reinvestment from 2026–27 to include:

- \$20 million to support place-based community-led justice reinvestment initiatives; and
- \$3.1 million to operate the national unit.

In recognition of the role that States and Territories have in justice outcomes, the Government will be seeking co-funding and data sharing arrangements as part of the national justice reinvestment program.

³ Smart Justice in the Heart of the Kimberley. Available at: https://olabuddoogethu.org.au/wp-content/uploads/2020/12/prospectus-booklet-olabud_WEB.pdf.

b) What other non-financial contributions has the Australian Government made to justice reinvestment?

The Government's focus on justice reinvestment is a commitment to work in genuine partnership with First Nations organisations and communities to improve justice outcomes, and to build on and expand existing justice reinvestment experience and expertise across Australia.

This investment reinforces the Government's commitment to national action on First Nations justice as a priority under the National Agreement on Closing the Gap, as well as its commitment to implementing the Uluru Statement from the Heart in full.

The Government is committed to ensuring the voices of First Nations communities and experts are central to this process. The National Justice Reinvestment Unit and Program will be designed in close consultation with First Nations experts and practitioners, including through community consultations and workshops, and informed by the recommendation of the Australian Law Reform Commission (ALRC) in its 2018 Pathways to Justice report.⁴ The design process will also leverage the expertise of philanthropic and not-for-profit organisations, community groups and service providers, and continue collaboration with State and Territory Governments to maximise the opportunities and benefits of justice reinvestment.

Alongside design consultations, the Government will also work with justice reinvestment and First Nations experts and leaders to provide readiness support to communities across Australia, ahead of the national grants program becoming available around July 2023. The Government will provide this support through a justice reinvestment capability partner. This support will assist interested communities to develop justice reinvestment strategies, strengthen grants writing and data analysis capabilities, and share skills and form connections with other communities with justice reinvestment experience.

c) Who is leading this work?

The Attorney-General's Department (AGD) and the National Australians Indigenous Agency (NIAA), through a joint First Nations Justice Taskforce (the Taskforce), are stewarding implementation of the Government's justice reinvestment commitment. In line with the Government's election commitments, work has already begun to ensure that early investments in Alice Springs, NT and Halls Creek, WA are implemented as soon as possible.

Through partnering with First Nations-led bodies, the Australian Government is ensuring First Nations knowledge sits at the heart of the National Justice Reinvestment Program's design and delivery. These partnerships include:

- Jumbunna Institute for Indigenous Education and Research (Jumbunna) facilitating formal consultations with First Nations communities and organisations, First Nations justice experts and non-government representatives on the National Justice Reinvestment Program and establishing a National Justice Reinvestment Unit.
- Ninti One, the Justice Reinvestment Network Australia (JRNA) and Jumbunna delivering practical readiness support to First Nations communities interested in developing justice reinvestment. Practical community readiness support will include engagement of local First Nations leaders to lead work on the ground along with assistance from a team of experts that can support communities in their applications for future

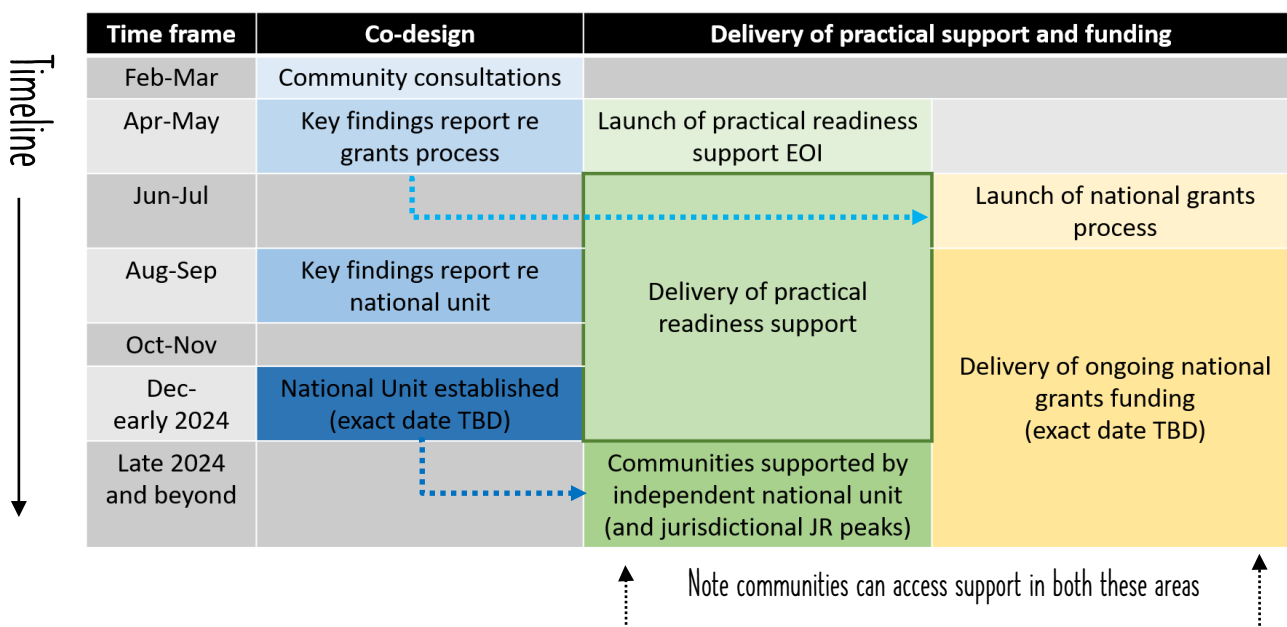
⁴ Australian Law Reform Commission (ALRC), Pathways to Justice – Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples (ALRC Report 133) (2018). Available at: [Pathways to Justice–Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples \(ALRC Report 133\)](#) | ALRC.

funding, along with assistance to develop the relationships, skills and priorities needed to enable justice reinvestment.

d) How will this commitment be implemented?

The Australian Government has adopted an integrative approach to designing and delivering its national justice reinvestment funding package. This approach aims to support the immediate needs of community, whilst working to transform its long-term approach to funding and supporting place-based community-led initiatives through the justice reinvestment program. It also aims to respond to community’s consistent calls for greater flexibility and genuine partnership by offering but not mandating access to non-financial support such as practical capacity-building support from an experienced, First-Nations justice reinvestment partner.

This approach is stepped out in more detail below.



For further information regarding the national consultation and co-design process see page 5.

For further information regarding the delivery of practical support and funding, including the distinction between practical community readiness support from the JR Partner and accessing grants funding see page 6.

3 The national co-design process

a) What is the co-design process?

In February national design consultations were launched to inform the design of the government’s National Justice Reinvestment Program and independent National Justice Reinvestment Unit. Now underway, these consultations aim to ensure all communities have an opportunity to apply for funding in an open and transparent way from July 2023.

As the facilitation partner leading the national design consultations the Jumbunna-led design team have developed a key issues paper and community resource to guide consultation and co-design. These are available below:

- [Key Issues Paper on national justice reinvestment co-design](#)
- [Community Resource on national justice reinvestment co-design](#)

JRNA have also developed guiding principles to support this consultation process and the protection of Indigenous Data Sovereignty. Those engaged in consultations include First Nations communities and organisations, justice experts and non-government representatives.

Some of the key questions being considered during the consultations and co-design include but are not limited to:

- Eligibility criteria and mechanisms for enabling access to funding;
- A First-Nations lens to evaluation of funding outcomes;
- Protections for community and cultural authority; and
- The purpose, functions, structure, governance, and location/s of a national unit.

Some of the key-deliverables from this process will include:

- Community and stakeholder consultations (Feb – Apr)
- Key findings report on the grants process (mid-May)
- Development of internal and external community-readiness assessment tools (mid-May)
- Key findings report on the national unit (early Aug)

b) How can communities and stakeholders input into the co-design process?

From mid-February First Nations communities and key stakeholders have been consulted in a variety of ways to inform the design of the national grants program and unit. These include but are not limited to online and in person consultations with community representatives along with individual interviews with key First Nations justice experts, experienced justice reinvestment practitioners and Aboriginal Community Controlled Organisations and groups. An independent Design Reference Group comprised of First Nations community leaders, justice experts, government, non-government, academic and philanthropic representatives with relevant expertise in the field of justice reinvestment has also been established to provide oversight and strategic advice to the consultation team.

Members of the public are also able to submit a written submission to the [Attorney-General Department’s Justice Reinvestment Discussion Paper](#) available here **by 10 April 2023**.

4 Support for place-based justice reinvestment

Responding to community’s consistent calls for a more integrative approach to community-government partnerships, the justice reinvestment funding package is offering access to both financial and non-financial support from an experienced, First-Nations justice reinvestment partner (JR partner). Each opportunity for support can be accessed separately or jointly to meet the unique needs of each community.

- i) The first opportunity for support is being *launched now* and will offer practical capacity-building support from the JR partner team, aiming to address the immediate, short-term justice reinvestment needs of communities as they await the design and implementation of the national grants process. This opportunity will include access to flexible micro-funding along with strategic advice, training and relationship-building opportunities.

- i) The second opportunity for support will be *released in July* and will offer more-substantive funding implemented under a national grants process which seeks to embed the experiences, expertise and feedback from First Nations communities and justice experts shared during the national consultations.

The integrative approach aims to support the immediate needs of community, whilst working to transform the Australian Government's long-term approach to funding and supporting place-based community-led initiatives through the justice reinvestment program.

i) Delivering practical community readiness support from a First Nations JR Partner

a) What types of support are being offered by the JR Partner?

To support communities in preparing to access the national grants program, the Australian Government is partnering with the First Nations-led bodies Ninti One, JRNA and Jumbunna to deliver practical readiness support to First Nations communities interested in developing justice reinvestment. Each body comes with experience and expertise in partnering with urban, regional, remote and very remote First Nations communities to support them in developing community-led approaches to justice challenges.

To access this support First Nations communities are being invited to express their interest in receiving community readiness support from the JR partner team. The expression of interest process will be **open from 3 April to 1 May**.

The type of support provided will differ from community to community and will be unique to each local context. It may include but is not limited to supporting:

- Relationship-building and knowledge sharing to build awareness of justice reinvestment;
- Training and development opportunities for First Nations communities in key enabling areas for justice reinvestment (e.g., grants writing, governance, facilitation, advocacy, communications);
- The development of justice reinvestment plans, strategies and priorities for each local context;
- Recruitment of a local First Nations JR lead on a casual basis; and
- Access to a small amount of flexible funds e.g. financial support to host community workshops.

Ultimately each community will be able to identify and prioritise the types of support they would like to receive. The JR partner team will then work directly with community to implement practical support in those area(s).

b) How long will communities be able to access practical community readiness support from the JR Partner?

The JR Partner will be providing practical community readiness support to a range of communities until March 2024. Depending on a range of factors, this support may continue beyond this initial period.

c) What is the distinction between practical community readiness support from the JR Partner and accessing grants funding?

By drawing a distinction between practical community readiness support from the JR Partner and access to funding under the national grants program, the justice reinvestment funding package aims to respond to community's consistent calls for a more integrative and flexible approach to community-government partnerships.

Practical community readiness support aims to offer communities, particularly those in the early stages of their justice reinvestment journey the opportunity to access additional non-financial assistance from a team of experts that can support them in their applications for future funding, along with assistance to develop the relationships, skills and priorities needed to enable justice reinvestment.

In comparison, access to funding under the national grants program aims to meet the financial needs of communities seeking to progress justice reinvestment. Although the exact scope of what will be funded under the national grants program will be informed by the national consultation and co-design process it is likely to include funding of 'backbone' or similar organisations to play a coordinating role in bringing together different activities, people and organisations leading justice reinvestment, along with activity-based funding in key enabling areas such as data work, communications, learning opportunities, community events or projects. Communities accessing funding under the national grants program will not be required to work with the JR partner.

By allowing communities to access the benefits of financial and non-financial support separately or jointly the National Justice Reinvestment Program aims to respond to the unique needs of each community.

d) Will applying for practical community readiness support from the JR Partner preclude a community from accessing grants funding?

No. Communities that receive practical community readiness support from the JR Partner will not be precluded from accessing funding under the national grants program. Depending on the individual readiness of each community, some communities may be encouraged to access both types of support simultaneously. Such communities may chose to utilise the expertise of the JR Partner to support them in developing their grants application for funding under the national grants program. Other communities may decide to work at a different pace by working with the JR partner to first spend time developing the relationships, skills and priorities of their local strategy for change before applying for future funding rounds under the national grants program. Ultimately, it will be the decision of each individual community about what types of support best meet their needs.

e) Will communities accessing practical community readiness support be prioritised when applying for grants funding?

No. Each application from a community will need to be assessed on a case by case basis against the guidelines of the national grants program. In saying that, some communities may chose to utilise the expertise of the JR Partner to support them in developing their grants application for funding under the national grants program, which in turn may better enable their participation in the national grants process.

f) What if my community is new to justice reinvestment, are we still eligible for practical community readiness support from the JR Partner?

Yes. Prioritising expressions of interest from communities with limited to no prior funding for other similar place-based, community-led initiatives aims to ensure that short-term capacity building support is provided to those communities who need it the most, to enable their participation in the national grants process. In saying that, First Nations communities with a spectrum of experience in justice reinvestment and other place-based community-led initiatives are encouraged to express their interest in receiving practical community readiness support from the JR Partner.

g) What if my community is unsure what areas of support they want and/or need?

Although we would encourage communities to consider what areas of support they want and/or need prior to submitting their expressions of interest it is also understood that many communities will be new to justice reinvestment and that determining areas for future development may in of itself be one of the opportunities for practical readiness support identified by the community.

h) What if my community is not interested or unsuccessful in receiving practical community readiness support from the JR Partner? Can we still be engaged in the process and/or access support?

Yes! Communities interested in justice reinvestment that are not interested or were unsuccessful in receiving practical community readiness support from the JR Partner are strongly encouraged to join JRNA. JRNA is a First Nations-led group of First Nations communities, justice reinvestment peak bodies and justice experts that have been coming together to build a national community of practice around justice reinvestment since 2017. Connecting in with JRNA offers the opportunity for First Nations communities to access practical tools, resources and information relating to justice reinvestment practices and principles along with partnerships and shared learnings from other First Nations communities and justice experts about how justice reinvestment is being approached differently in different communities. Joining JRNA is free for First Nations communities and can involve as much or as little commitment as each community chooses from accessing online resources to collaborating in group workshops. To join JRNA, contact info@jrna.org.au.

i) Are there any opportunities available for more advanced justice reinvestment to participate in practical community readiness support from the JR Partner?

More advanced justice reinvestment sites that are interested in taking on a mentoring and/or leadership role to support emerging justice reinvestment sites are encouraged to express their interest to be involved in the practical community readiness support being offered by the JR Partner. This speaks to the importance of more advanced justice reinvestment sites in building and strengthening the national community of practice around justice reinvestment with many communities actively seeking out the opportunity to learn from the lived experiences and expertise of other First Nations communities.

j) Can organisation and/or service provider apply for practical community readiness support from the JR Partner?

A core requirement of justice reinvestment is that it is led by First Nations community leaders committed to working in partnership with other community members and/or service providers. Whilst some communities may elect to nominate a particular organisation and/or service provider to auspice its First Nations community leadership structure, that organisation or service provider will need to demonstrate in its expression of interest how First Nations community voices will lead its justice reinvestment process.

k) Who will assess expressions of interest for practical community readiness support from the JR Partner?

Expressions of interest for practical community readiness support from the JR Partner will be jointly assessed by a panel comprised of government and non-government First Nations people and/or First Nations led bodies.

l) How will applications for practical community readiness support from the JR Partner be prioritised during the assessment process?

Expressions of interest received will be selected based on the following principles.

- *First Nations community leaders are coming together and authorising change.*
- *Current and/or emerging community consensus that a **new approach to justice is urgently needed.***
- *Strong interest and/or existing knowledge in the principles and practices of justice reinvestment.*
- *Evidence of **community buy-in and/or readiness** to work in partnership – noting:*
 - This may include evidence of collaborations or willingness to collaborate, potentially with/between other local initiatives, First Nations leaders, youth leaders, local organisations, service providers and/or government.
 - The panel does not expect a community to be immune from politics or differing opinions, but rather is interested in communities that can demonstrate a willingness to come together despite these differences.
- *Whether or not there has been prior funding for other similar place-based, community-led initiatives - noting:*
 - This aims to ensure that short-term capacity building support is provided to those communities who need it the most, to enable their participation in the national grants process.
- *Communities that would facilitate a **wide national spread** of justice reinvestment sites – including:*
 - Selecting communities across different states and territories.
 - Prioritising a greater number of communities in jurisdictions without a JR peak body (Qld, NT, ACT, Vic, and Tas).
 - Prioritising emerging JR sites in jurisdictions with a JR peak or supporting body (NSW, WA, SA) and leveraging opportunities to partner with the local JR peak to provide support to these communities.

m) How do I submit an expression of interest?

The expression of interest form is located on the [Justice Reinvestment Network Australia's website](#).

Return completed forms justicereinvestment@nintione.com.au and/or reach out for a yarn.

n) Is there flexibility in how I can submit an expression of interest?

Yes. Although expressions of interest will need to be documented, there is flexibility in how these can be captured. For instance, they can be submitted by emailing a completed form or by contacting the partner team who can talk with you and capture this conversation in writing.

ii) Delivering a national grants process

The second opportunity for communities to access support for justice reinvestment will be under a national grants process which seeks to embed the experiences, expertise and feedback from First Nations communities and justice experts shared during the national consultations.

Access to funding under the national grants program aims to meet the financial needs of communities seeking to progress justice reinvestment. Although the exact scope of what will be funded under the national grants program will be informed by the national consultation and co-design process it is likely to include funding of 'backbone' or similar organisations to play a coordinating role in bringing together different activities, people and organisations leading justice reinvestment, along with activity-based funding in key enabling areas such as data work, communications, learning opportunities, community events or projects. Communities accessing funding under the national grants program will not be required to work with the JR partner.

The national grants process aims to transform the Australian Government's long-term approach to funding and supporting place-based community-led initiatives and can be accessed with or without practical community readiness support from the JR partner.

The key recommendations from the national consultation and co-design process are due to be released in mid-May 2023. With delivery of the first round of the national grants process from July 2023.

Further updates on the national grants process will be provided soon.

6 The role of the independent national unit

The key findings report on the design of the national unit is due to be tabled in August 2023. The recommendations of this report will be used to inform the design and establishment an independent National Justice Reinvestment Unit to coordinate and support justice reinvestment initiatives at a national level.

Over the first four years (2022-2025), this will include \$12.5 million to establish an independent National Justice Reinvestment Unit to coordinate and support justice reinvestment initiatives at a national level, with \$3.1 million annually being commitment for justice reinvestment from 2026–27.

Further updates on the independent national unit will be provided as the co-design process progresses.

7 Contact details for more information

If you are interested in learning more about the national co-design process, please contact justicereinvestment@uts.edu.au or justicereinvestment@ag.gov.au.

If you are interested in learning more about the process for expressing interest in community readiness support, please contact justicereinvestment@nintione.com.au.

