

‘Stories that matter’

In Closing the Gap

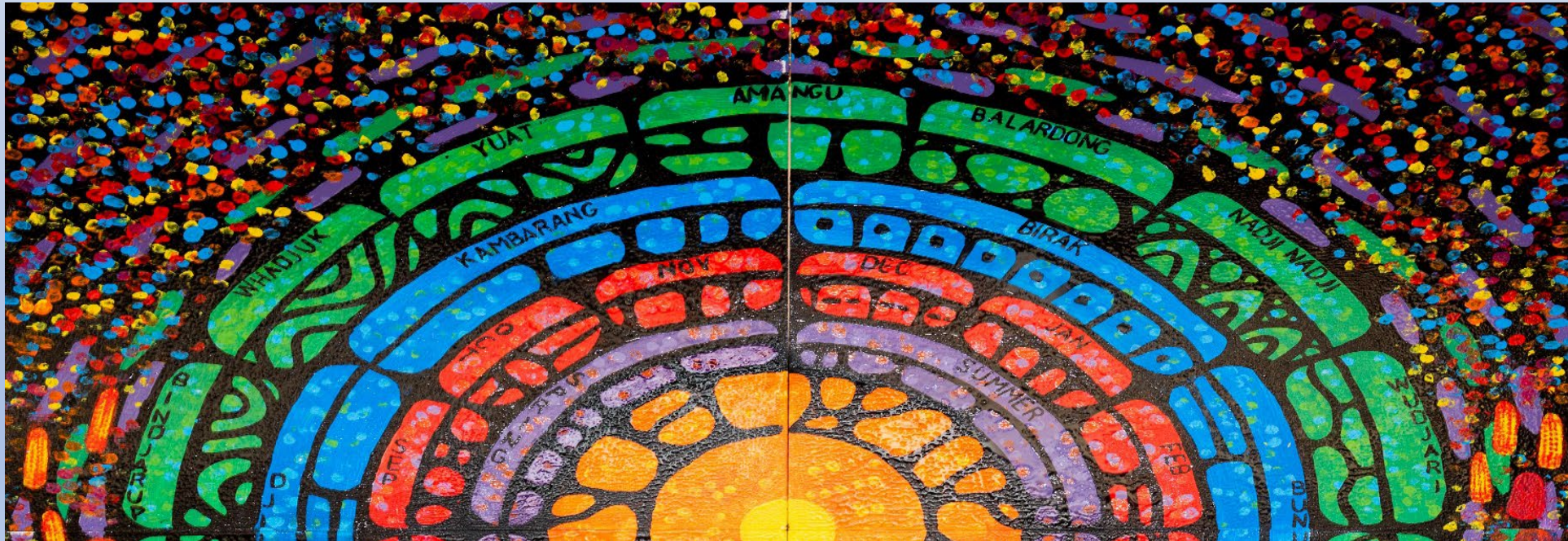


Illustration: Artwork by Dr Richard Walley OAM for use by UWA Law School

We acknowledge the people who are the traditional custodians of the lands on which we conducted our research and on the lands we meet today. We pay our respect to their Elders, past and present, and to all Aboriginal and Torres Strait Islander peoples.

Today's talk is based on

- **Criminology Research Grant** “Building an Effective Community-Based Throughcare Approach for Aboriginal Offenders in Australia” (2016-2017)
 - UWA and Griffith – Tubex, Rynne and Blagg
 - WA and the NT – 38 interviews involving 59 people
- **Indigenous Justice Research Program** “Indigenous peoples’ experiences with the criminal justice system: Stories that matter” (2022-2023)
 - UWA, ANU (Bartels) and Deakin (Graffam and Curtis)
 - 31 interviews in WA
- 2 Projects to build a better understanding of **Indigenous women’s use of force** (2023-24).
 - UWA – Victoria Hovane & Stella Tarrant
 - Yarning circles with men and women in Perth and Broome (32 participants)

* ONLY MY RESPONSIBILITY

About me...

Positioning statement

- Most of my work is Community-based
- In consultation with (ACCO's) service providers
- In collaboration with Indigenous researchers (CI/RA)
- Advised by an Aboriginal Advisory Group
- Based on firsthand experiences – narrative yarning approach

- **Carrying the message** – not claiming Indigenous knowledge, offering my expertise as a researcher and position as an academic

- Each of the projects has a specific focus on factors that contribute to Indigenous criminalisation and overrepresentation – building a picture

Aboriginal
People's
experiences
with the CJS /
CLS are
different

- Stolen Generation(s)
 - 3rd generation
 - Grief and loss
- Intergenerational trauma
 - Lack of role (cultural) models
 - Crime and violence being the norm
 - Early onset

Aboriginal People's experiences with the CLS

- Police relationships – overpolicing
 - Targeting and brutality
 - Misinterpretation of the situation – FDV
 - Lack of training / exposure
- Sentencing – cultural appropriateness
 - Lack of mutual understanding
 - Drug court, MH court, FV court
 - Lack of engagement / support (Legal Aid)

Prison and Parole

- Imprisonment: being taken away from country
 - Not knowing what is happening in the community
 - Tyranny of distance
 - Not being able to fulfil cultural obligations
 - Cultural gaps in the community – impact on young people
- Lack of relevant programs
 - Culturally appropriate – delivered by Aboriginal people
 - Exacerbated for women in prison
- Limited uptake of parole
- ‘Walking out to nothing’ – no safe place to go to

General issues

- Housing crisis
 - Overcrowding - Conflicts
 - Peer pressure – people using
- Domestic and family violence
 - Women fighting back
- Drugs
 - Methamphetamines
- Employment and income support
 - Budgeting
- Complexity of life...

Stories that
matter – not
the problem
but the
solution

- Aboriginal led – Aboriginal people working in the system
- Community driven
- Reconnect to culture
- Aboriginal Visitor Scheme
- A mentor – 24/7
- Walking with them till they are back on track
- Research fatigue... and giving back gets harder

We know all
this... for a
long time

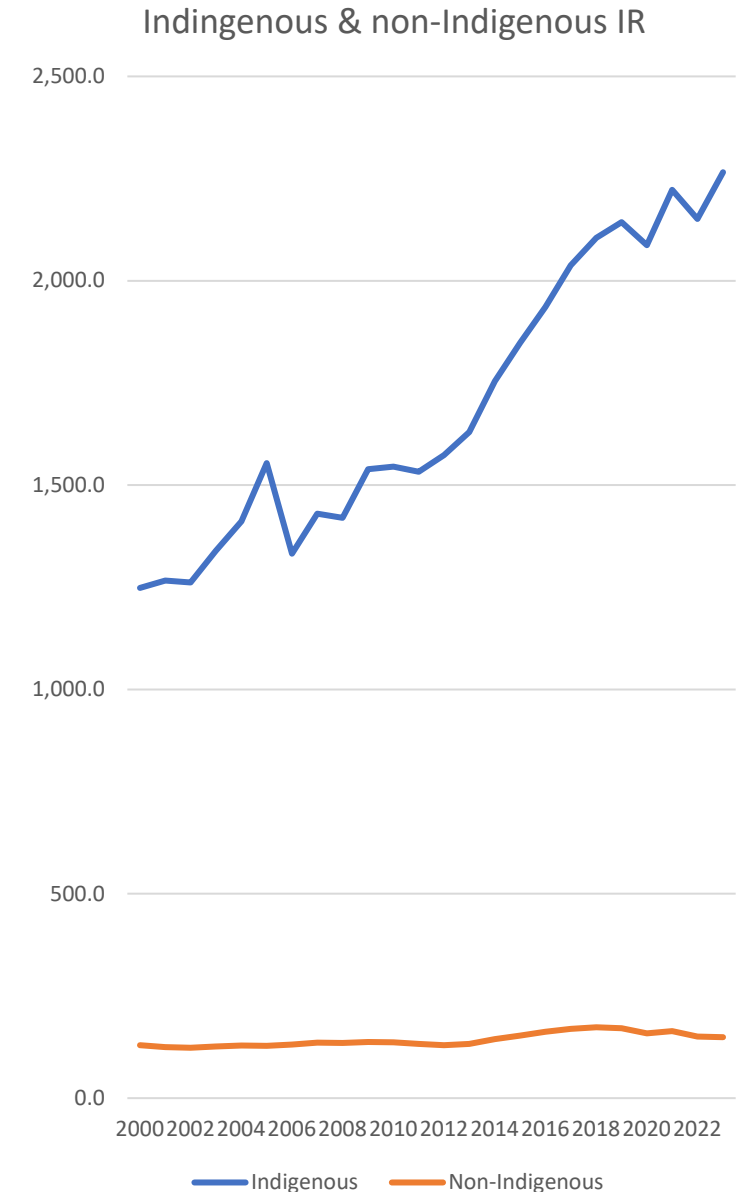
The CLS and particularly prison is not solving criminal problems, it is addressing social problems

Prison as a safe place – as good as it gets

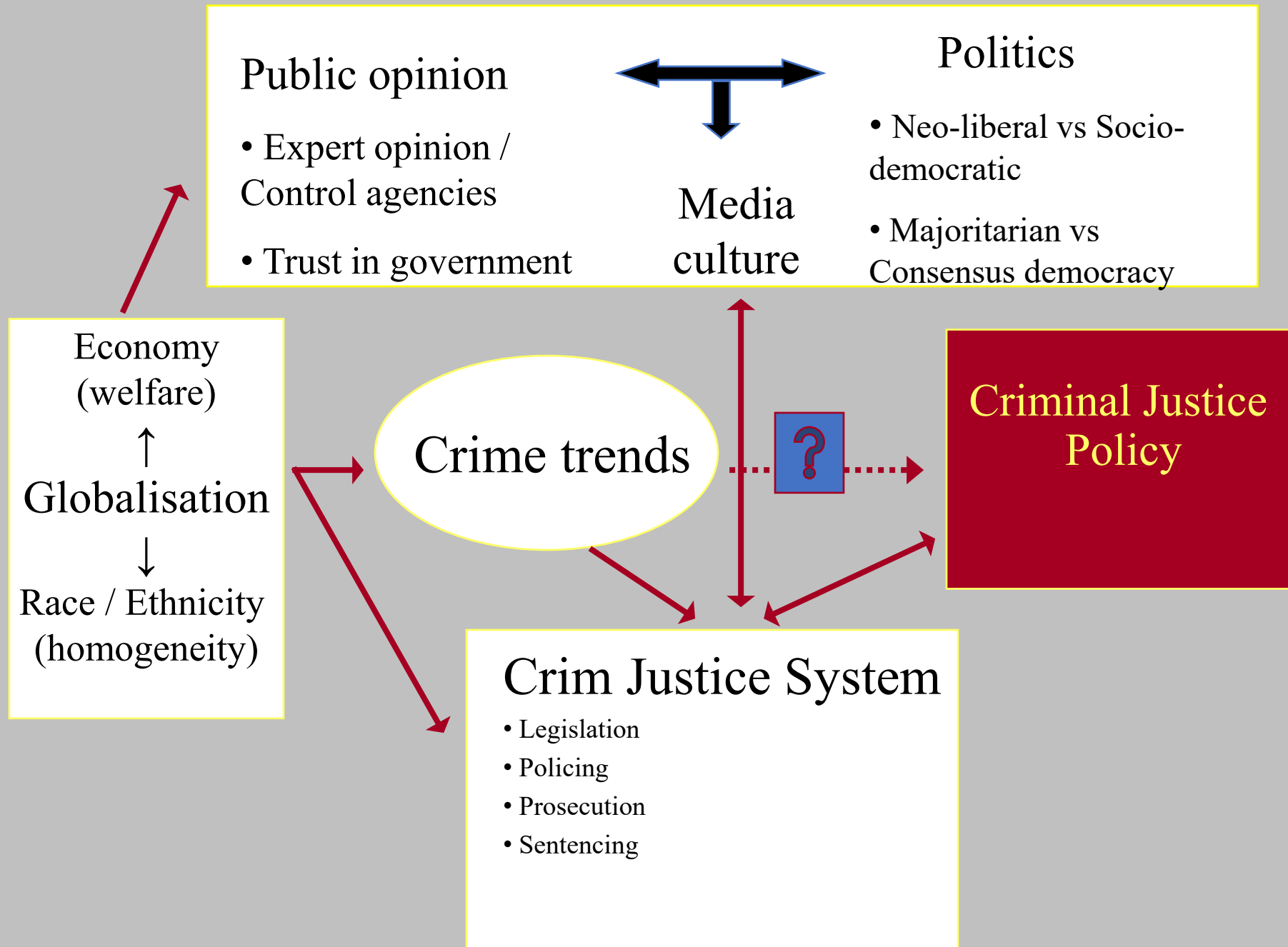
Lack of social support, the only door that always opens...

Closing the Gap: Target 10

- **By 2031, reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15 per cent.**
- From 30 June 2022 to 30 June 2023, **Aboriginal and Torres Strait Islander prisoners increased by 7%** (to 13,852).
- The Aboriginal and Torres Strait Islander **imprisonment rate increased by 5%** to 2,442 prisoners per 100,000.
- Aboriginal and Torres Strait Islander prisoners accounted for **33% of all prisoners**



Why doesn't it work?



Conclusion

- From evidence to action
- Working WITH the system
- Students – you are the army of change!
- Enabling (Indigenous-led) research
- Dissemination of research - media
- Investing in academic activism

- PUBLIC CRIMINOLOGY – Nancy La Vigne (NIJ)
 - Loader & Sparks, 2010
 - Implementation Science
- I am not talking about ‘programs’ as such, but the building of an understanding to change attitude and approach – with Indigenous Peoples

Publications

- PUBLICATIONS AVAILABLE:
 - **Full report:** Tubex, H., Rynne, J. & Blagg, H. (2020). *Building effective throughcare strategies for Indigenous offenders in Western Australia and the Northern Territory*. Report to the Criminology Research Advisory Council. Canberra: Australian Institute of Criminology. <https://www.aic.gov.au/sites/default/files/2020-05/CRG-23-15-16-with-cover-and-ISBN-040220.pdf>
 - **Summarised report:** Tubex, H., Rynne, J. & Blagg, H. (2020). Throughcare needs of Indigenous people leaving prison in Western Australia and the Northern Territory. *Trends & issues in crime and criminal justice* no. 585. Canberra: Australian Institute of Criminology. <https://aic.gov.au/publications/tandi/tandi585>
 - **International publication:** Tubex, H., Rynne, J. & Blagg, H. (2021). Throughcare for Indigenous peoples leaving prison: Practices in two settler colonial states. *European Journal of Probation*, 13(3): 282-300. <https://doi.org/10.1177/20662203211044956>
 - **Tubex, H. (2021).** Throughcare for Indigenous Peoples leaving prison. **Commentary.** *Decolonization of Criminology and Justice*, 3(1): 82-91: <https://ojs.aut.ac.nz/dcj/issue/view/3>

Thanks for
listening...

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