Every day at 9.30am, a dozen Bourke residents gather for an unusual meeting. They meet at the Maranguka Hub on Mitchell Street, just a stone’s throw from where journalist and poet Henry Lawson lived in a corrugated iron shed in 1892. It’s also not far from where eye surgeon Fred Hollows ran his clinic from the 1970s.

Those meeting have a clear purpose: to tackle problems in the town as they arise, rather than wait for them to grow. The gathering begins with police reporting any incidents or concerns from the past 24 hours. The idea is to intervene early and get mental health, early childhood, education, family support and other service providers involved straight away.

The initiative, known as justice reinvestment, allows the community to drive change and, while much of the approach seems like simple common sense, Bourke is the only town in Australia taking this approach. And there are clear signs it is working.

Kristy Kennedy
Backbone Coordinator, Maranguka

At the age of 17, Kristy Kennedy witnessed an event that changed her life. The teen, who was born and raised in the town of 2,500 in western NSW and attended boarding school at St Scholastica’s College in Glebe, was with her teenage brother, TJ, and cousin, Peter. They were bouncing a basketball down the main street when the boys had a run-in with police.

“The police swore at my brother and cousin, telling them to stop bouncing the ball. My brother and cousin swore back at the police who arrested them for offensive language. I was disgusted by how the police treated the boys so harshly,” Kennedy recalls of the 1999 incident.

“My brother didn’t have a lot of positive interactions with police when he was growing up. He and Peter in particular because he had really dark skin were targeted by police. I grew up knowing that was completely unfair.”

Kennedy didn’t realise it at the time, but the incident and her reaction to it would affect her hometown almost 20 years later. It led to her decision, urged by her teachers, to study law so she could fight for what she believed was right.

Kennedy, who worked with Supreme Court judge Michael Slattery and with Legal Aid for a few years, is now the Backbone Coordinator at Maranguka, facilitating opportunities for service providers to work collaboratively to tackle issues in the town she loves. She is part of Just Reinvest NSW’s first program that tries to solve the complex issues and redirect resources into disadvantaged communities so as to address underlying issues and prevent crime.

Bourke is 800km from Sydney, a pretty town on the banks of the Darling River that calls itself the gateway to the real outback. It earned the sobriquet of “most dangerous place in NSW” in 2013 as a result of persistently high crime rates.

By challenging the entrenched methods and rethinking the approach to justice, the town is being reinvented. Much of that is due to the Maranguka initiative.

“There have been silos in the Bourke community around service delivery,” Kennedy explains. “I help to bring all the stakeholders together and our team...
over-representation in NSW prisons was speechless said the rate of Aboriginal.

Legal Service NSW/ACT, called for more of Australia's adult prison population, report from the Australian Law Reform "Pathways to Justice" response to the resources for justice reinvestment in important because they are our next young people and our community as a whole, she says.

"For me, the way kids are living is unacceptable "particularly for young...." Speakman said.

D istrict Area Commander Greg Moore is a long-term Bourke cop with a law degree and a 30-year police career. He moved to the town with his wife and baby twins in 2003 after years as a detective in Sydney. Moore was transferred for five years to Lismore but as a detective in Sydney. Moore was transferred for five years to Lismore but... involved in the latest crime statistics show some success. So far this year, just two cars have been stolen in Bourke, way down from the 30 cars stolen in 2015-16.

Domestic violence rates have almost halved, down from 128 reported incidents in 2013-14 to 71 reported incidents in 2016-17. Assaults have also decreased from 192 in 2014-15 to 132 in 2016-17.

Domestic violence "the forgotten law and order issue in the state."

Moore is keen to point out that... "the forgotten law and order issue in the state."

Bourke has reached a bit of a turning point, "Police are doing things differently now," Prince says. "That's due to the
Jesse Sinclair
Solicitor, Bourke Aboriginal Legal Service

In spite of the wins, everyone agrees that Bourke still has problems. Jesse Sinclair, a solicitor at the Bourke Aboriginal Legal Service, sees the results of poverty and social disadvantage every day. “When I first arrived in Bourke, it was a Sunday afternoon and it was cold and the shops were closed with the security shutters down,” recalls Sinclair, who grew up in Inverell, six hours’ drive east of Bourke. “I wondered what I was getting myself into, but I have since learned it’s a lovely place with lovely people.”

While he is pleased that crime rates are decreasing, Sinclair says that as a solicitor “it doesn’t seem any less busy.” “Domestic violence is a big issue and dishonesty offences, larcenies and fraud for tap-and-go to fund what is normally a drug habit are common,” Sinclair says. “People are buying cigarettes or meat on a stolen tap-and-go card and using that to [trade for] an oxy pill, which is effectively heroin,” he says. Oxy, short for Oxycodone, is a prescription pain medication.

Sinclair, 28, says “geographic discrimination” makes things tougher for Bourke residents, referring to not only a lack of the services found in larger regional towns and cities, but limits to what the courts can do. He says more drug and alcohol services, a court-imposed MERT program (Magistrates Early Referral Into Treatment program) that allows adult defendants with substance abuse problems to work, on a voluntary basis towards rehabilitation as part of the bail process) and more Intensive Corrections Orders (ICO), instead of jail sentences are needed.

An ICO is an alternative to a full-time custodial sentence of up to two years and is served in the community with supervision and monitoring by community corrections. The problem is Bourke is so small it’s hard to find people and organisations that can supervise people on ICOs. (Bourke Magistrate Gary Wilson declined to be interviewed for this story.) An October bulletin from the NSW Bureau of Crime Statistics and Research pointed to the value of ICOs. It found an 11 to 31 per cent reduction in the odds of reoffending for offenders who received an ICO compared with an offender who received a prison sentence of up to 24 months.

“The geography works against us in many ways,” Sinclair says. “Another issue is that Bourke is at least four hours’ drive to Dubbo or Wellington prisons, so it’s so hard for family members to visit anyone who is in jail.”

Sarah Hopkins
Chair, Just Reinvest NSW and Managing Solicitor at the Aboriginal Legal Service ACT/NSW

Sarah Hopkins, a solicitor with the Aboriginal Legal Service when she decided to move to Bourke, says outstanding warrants issued by the Local Court were a problem. The town had the highest breach of bail rate in NSW.

“The community was saying they were worried that people were going underground, disengaging with services, not connecting with family, not going to school,” she says. “So we started negotiating with the chief magistrate and the Local Court magistrate to establish a system to connect people with a local support team to deal with their warrants.”

Hopkins studied law at Sydney University and worked in commercial litigation which she decided “was just not for me”. She joined the Aboriginal Legal Service and says the “energy and commitment of the people there was amazing and I knew this is what being a lawyer is all about.”

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Sarah Hopkins, a solicitor with
20 years’ experience, is optimistic about crime and justice in Bourke.

“We are starting to see changes in Bourke,” she says. “Family violence is down as well as youth offending. Problems happen when young people have longer periods of free time. The school holiday program of free activities made a real difference.”

Hopkins says community decision-making is driving the improvements.

“You need to resource that just as much as you need to resource the programs,” she explains. “If you don’t strengthen families, it’s just a band-aid.”

“Nothing will work – and I mean nothing – unless the Aboriginal community drives it themselves. That is a key part of justice reinvestment – it is about building the capacity of communities to drive their own solutions.”

Hopkins was working in the Children’s Court as a criminal solicitor for the Aboriginal Legal Service when she decided there had to be a better way.

“Literally, every day the magistrates and the lawyers would be calling out for options for these kids,” she said. “There was nothing. So I started talking with some other people about how we could think outside the square.

“We came across the idea of justice reinvestment. It is a data-driven, place-based approach to reducing crime and shifting resources out of the prison system and into communities. By shifting the way things are normally done, you can create real outcomes.”

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Hopkins says that over the past couple of years the practice had been for the local court not to issue as many warrants.

“The Local Area commander told me early this year there wasn’t a single warrant out in Bourke and there were 60 in West,” she says.

“When we first started talking to the Bourke community in 2013, they told us they wanted to create better lives for children and young people. Part and parcel of that was they wanted a safer community for everybody.

“Reducing crime is a win for the whole community, black and white, and what you see happening in Bourke is the service system starting to work in a different way – services for health, education and mental health as well as police collaborating in a way the town hasn’t seen before.

Aboriginal community members are having real buy-in and that’s something Bourke should be really proud of.”

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