



JUVENILE JUSTICE REINVESTMENT

May 2011

The Uniting Church in Australia supports a restorative and rehabilitative justice system, with imprisonment as a last resort. The Uniting Church believes young people are often disadvantaged in the justice system. The Synod of Victoria and Tasmania advocates for increased funding levels to those parts of the juvenile justice system that facilitate community-based rehabilitation of young offenders and 'early intervention' through investing more extensively in support services within the primary and secondary phases of state education.

Thankfully, in Australia, all jurisdictions legislatively provide that detention be a 'last resort' for juveniles. Consistent with this, there is a growing belief that the emphasis in juvenile justice ought to move from simple punishment towards making young offenders accountable for their actions, while at the same time involving families in making decisions about their children and in addressing the needs and rights of victims. For example, the Tasmanian 'U-Turn' program allows young offenders to get training and restore crime-damaged vehicles for victims of motor vehicle crime (see: www.uturntas.com.au).

Justice reinvestment

According to the YMCA, in Victoria, almost half of young offenders will be imprisoned as adults. This is very expensive. For example, last year, budget papers from the previous Victorian Government made projections of an extra \$126 million over four years on an additional 244 prison places (around \$113,000 per bed). The 2011-12 Budget reveals that the Victorian Government will spend an extra \$66 million to begin to provide 500 additional prison places to address probable increases in prisoner population as a result of harsher sentencing and bail laws; also, an extra \$2 million in funding will go towards developing a business case for the development of a new male prison. According to media reports the typical 25-year term of a public private partnership project for such a male prison would cost in excess of \$2 billion (a new 550-bed women's "multi-purpose" complex is also being considered which would cost more than \$1.5 billion to build and maintain over 25 years).

There is a substantial body of evidence which suggests prevention and early intervention are the most cost-effective ways to reduce juvenile offending. The approach diverts funds that would otherwise be spent on building additional juvenile justice centres to services and programs that address the underlying causes of crime in local communities. Justice reinvestment strategies result in tangible benefits such as reduced crime, reduced re-offending and cost savings for government, and provides long term benefits to the community.

Justice reinvestment has been very successful in the United States. In Washington this approach has saved approximately \$2 billion and reduced crime rates. Kansas has experienced a 7.5% reduction in their prison population, and the re-offending rate for people on parole has dropped by 35% since adopting justice reinvestment. Oregon has reduced youth incarceration by 72%, which is the biggest decrease in juvenile detention according to the US National Centre for Juvenile Justice.

There are also successful local examples of such investment. The Neighbourhood Justice Centre (NJC) in Victoria supported a restorative justice group conference program (for young adults between 18 and 25). A 2010 evaluation of the NJC as a whole found offenders were 14% less likely to re-offend than those processed in other courts. In Tasmania, the Mandated Diversion of Drug Offenders Program includes provision of family counselling and other therapeutic options for juveniles (and adults); it has been largely successful in preventing or delaying relapses.

A successful justice reinvestment strategy involves a broad range of stakeholders in the jurisdiction, which may include: prosecutors; public defenders; judges; corrections and law enforcement officials; service providers and community leaders; victims and their advocates; people who have been incarcerated and health, housing, human service, education, and workforce professionals. Dialogue can focus on not only problems but also young people and families who, despite significant disadvantage, are doing well.

Strong families, schools and communities

Strong families, schools and communities (it appears in that order) are very important to safeguard the wellbeing of young people. Adolescent connectedness to family and school is especially crucial for adolescent well being (even more important than connection to peers or community). It should also be noted that a key driver for problems for juveniles is financial stress on families; it disrupts the parenting process and makes young people more susceptible to neighbourhood problems if existent, leading to higher rates of criminal involvement.

It is also becoming increasingly apparent that criminal behaviour has its roots in early childhood experience; a key transitional point. There is a strong case for effective intervention at such important junctures in childhood and adolescent development. Ineffective parental supervision and neglect correlates with higher rates of crime. Family-strengthening is crucial. Finally, children of inmate parents are approximately six times more likely to become involved in the adult criminal justice system, compared to other children. It's important to break the cycle of crime.

What's happening in Victoria and Tasmania?

The Justice and International Mission Unit have made a submission in response to the Tasmanian Government *Agenda for Children and Young People – Consultation Paper*. It is considering a range of strategies such as strengthening universal early intervention services for young people that tackle the risk factors contributing to young people getting involved in crime. The Unit has commended the Tasmanian Government for this initiative to improve the lives and well-being of children and young people in Tasmania. This review is still in progress.

The relatively new Government in Victoria has been elected on a platform of getting tougher in relation to 'law and order' issues. However, it is generally accepted in the community, including amongst victims of crime groups, that young offenders should in many cases be given 'a second chance' rather than being incarcerated where they mix with other detainees/prisoners. The new Victorian Government is to be congratulated for providing \$17.5 million aimed at crime by young people through prevention and rehabilitation programs. This includes expanding the Youth Justice Group Conferencing program as an alternative to the Children's Court. Also, an extra \$1.1 million has been allocated for a bail supervision program to keep young people out of custodial care. However the recent Victorian Government announcement to establish two year statutory minimum sentences for violent juvenile offenders (16-17) is a retrograde step as it would erode appropriate judicial discretion.

ACT – WRITE A RESPECTFUL EMAIL OR LETTER TODAY

Basing your points on those outlined above, write a respectful email or letter (in your own words) to the relevant Minister:

The Hon. Lara Giddings, MP
Premier and Treasurer of Tasmania
Executive Building Level 11, 15 Murray
Street
HOBART, 7000
lara.giddings@parliament.tas.gov.au

The Hon. Ted Baillieu, MP
Premier of Victoria
Level 1, 1 Treasury Place
East Melbourne, Victoria, 3002
ted.baillieu@parliament.vic.gov.au

In particular you may wish to highlight the following points:

- State that detention or imprisonment remain a 'last resort' for young offenders
- State that you believe strong families, schools and the communities are very important to safeguard the wellbeing of young people
- Suggest that localised justice reinvestment strategies (focussing on strengthening families and schools) be developed in areas where there are higher numbers of younger people coming into contact with the justice system.

Please send any replies that you may receive to the Justice and International Mission Unit, Level 3, 130 Little Collins Street, Melbourne Victoria 3000 / jim@victas.uca.org.au

SOURCES: The Uniting Church in Australia Assembly, Synod of Victoria and Tasmania, Australian Institute of Criminology, Criminology Research Council, YMCA, Victorian Government, Noetic Solutions, Washington State Institute for Public Policy, Council of State Governments Justice Centre, Tom Calma, Neighbourhood Justice Centre, Success Works, Youth Studies Australia, Joseph Rowntree Foundation, Jesuit Social Services, Australian Institute of Family Studies, Liberal National Coalition, Brimbank Weekly, Tony Vinson, Criminological Consulting Australia, Victorian Government Budget papers, The Age. *References provided on request.*