



## Tough on Crime? – The Evidence Doesn't Stack Up

### Purpose

VACCHO believes the criminal justice system fails Aboriginal Victorians. We need services, not sentences. Law enforcement agendas have proven to be an ineffective means of reducing recidivism and repeat offending. Locking up Aboriginal Victorians is an inappropriate way to respond to the complex needs of people who either have a disability, mental illness, or battling drug or alcohol addiction. VACCHO knows public health responses and sound legal advice are key to ameliorating the rising contact Aboriginal Victorians have with the Justice system.

VACCHO urges a renewed approach to justice policy. There is a widespread belief that zero tolerance and tough policing and sentencing, works as a disincentive and results in reduced crime even when the evidence demonstrates that the opposite is true, that redirection of investment into community based crime prevention and intervention initiatives works. The Hon. Matthew Guy MP has called for the revival of the Police in Schools Program and the placement of one hundred police in high risk schools across Victoria. There has been widespread media reporting that Victoria is in middle of a youth crime wave and calls for punitive justice measures.

The investment in 'tough on crime' approaches has serious implications for Aboriginal youth in Victoria, with the potential for racial profiling, and a further increase in the disproportionate rate of Aboriginal youth in incarceration.

The Schools Resource Officers program in the United States fostered a classroom to prison

pipeline. The combination of a zero tolerance approach and the presence of police in schools resulted in an increase of criminal arrests of children and youth for mild misdemeanors and the disproportionate targeting of minority populations.

Current law and order policies fail to address the underlying issues why young people come into contact with the criminal justice system and requires funding into holistic early prevention, intervention, diversion, restorative and rehabilitative strategies.

Evidence suggests that diversion programs and community justice restorative approaches are effective in reducing reoffending rates:

- Over 88% of young people participating in ROPES- Victorian court diversion program did not reoffend (KPMG evaluation 2010)
- The Shepparton Koori court model reduced the levels of recidivism rates by approximately 13% for the two years of the pilot program
- A program evaluation of the ACT Extended Through Care program found that return to custody reduced by 22.6%.
- Aboriginal Justice Strategy (Canada) community led diversion program outcome reduced recidivism rates by 50%
- Investment into the Aboriginal community of Woorabinda in central Queensland has produced a positive result in the 55% decrease of young people in contact with the justice

- system from 31 in 2009, to 14 in 2013.
- In Kansas US, Justice reinvestment in housing, substance abuse initiatives, and increasing access to health care and educational programs in prison saw a 7.5 per cent reduction in their prison population with a decrease of reconviction by 35%. Kansas reportedly saved \$80.2 million over five years

ROPES is the only diversion option available to young people who appear in the Children's Court. The lack of statewide distribution of Youth diversion program means that not all young people are benefiting from the available support services.

VACCHO is advocating the development of cultural specific Youth Diversion programs for Aboriginal people to reduce the disproportionate rates of Aboriginal and Torres Strait Islander imprisonment.

The support and advocacy for Justice Reinvestment to develop community initiative to address the underlying determinants of crime will effectively improve the outcomes of individuals, and strengthen the safety and wellbeing of communities.

Children in out of home care are 27 times more likely to be under youth justice supervision. Children who come into contact with child protection systems experience socio-economic disadvantage, as well as challenges in education and in their family settings. Young people with disability, mental health needs and substance abuse issues make up a significant proportion of young offenders compared to the general population. There is a need to address the links between care and crime, to address the underlying causes and provide supports to reduce a young person's risk of offending.

Indigenous incarceration is currently costing the Australian economy \$7.9 billion per year. The economic impacts are expected to grow to \$9.7 billion per annum by 2040 as a result of the rising rates of incarceration.

Australia spends more than \$3 billion dollars a year just running our jails. Evidence on the economic impact of targeted intervention initiatives for children and young people who offend are estimated to reduce the cost of Indigenous incarceration by \$10.6 billion in 2040, and a reduction of recidivism over four years of between 4-15% in each year.

Evidence on the estimated impact of early prevention initiatives show the potential to close the Gap where the Indigenous incarceration rate is reduced to the non-Indigenous incarceration rate by 2040.

There is a need for greater investment and focus on early prevention, intervention and Justice Reinvestment to address the key drivers of Aboriginal incarceration. VACCHO is advocating the development of strategies and initiatives underpinned by the principle of self-determination and community capacity building to address the high rates of Aboriginal incarceration, and to positively influence future economic, social and health outcomes of Aboriginal and Torres Strait Islanders. There are financially sustainable alternatives that adopt community driven approaches and can save the taxpayer.

