



13 March 2013

**Committee Secretary**

Senate Legal and constitutional Affairs Committee

Parliament House, Canberra 2600

E: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

**The value of a justice reinvestment approach to criminal justice in Australia**

I am writing in response to the call for submissions in relation this Senate inquiry and, in particular, to term of reference (d); the costs and availability and effectiveness of alternatives to imprisonment. My particular interest in this area lies in the area of offender rehabilitation programming, a term that is typically used to refer to psychological treatment programs that aim to reduce the risk of reoffending by addressing those individual difference factors that are most closely associated with offending behaviour. It is generally accepted that these programs are not only more effective when they are delivered in the community as opposed to custodial or residential settings<sup>1</sup> but that they also represent good 'value for money' when the costs of program delivery are weighed against the benefits of reduced re-offending<sup>2</sup>.

While economic appraisal has become an essential tool in a range of public policy domains, its use in the criminal justice context is in its infancy in Australia. Consequently, methods for assigning costs to outcomes (e.g., improved public safety, victim pain and suffering, reduced fear of crime) are still developing, although there have been attempts to estimate these<sup>3</sup>. There are also difficulties in demonstrating that Australian rehabilitation programs do actually deliver their intended outcomes<sup>4</sup>.

The introduction of the "payment by results" system in the UK<sup>5</sup> has provided some impetus for work in this area, and the notion of justice reinvestment is particularly useful in drawing attention to the wide range of initiatives that have potential value to reduce rates of imprisonment. In my view there is a need to allocate resources to develop services in the communities in which offenders live whilst also investing in the delivery of offence-focussed rehabilitation programs in community settings. It seems important that efforts are targeted at those factors that are most directly associated with re-offending, particularly in relation to the prevention of violence, family violence and violence in Indigenous communities given the high proportion of people in prison who have been convicted of violent crimes. At the same time there is a pressing need to ensure that data on program costs and outcomes are routinely collected.

Yours sincerely

Dr Andrew Day

**Professor of Psychology, Deakin University**

<sup>1</sup> Andrews, D. A., & Bonta, J. (2010). Rehabilitating criminal justice policy and practice. *Psychology, Public Policy, and Law*, 16(1), 39-55.

<sup>2</sup> See Drake, E.K., Aos, S., & Miller, M.G. (2009). Evidence-Based Public Policy Options to Reduce Crime and Criminal Justice Costs: Implications in Washington State Victims and Offenders, 4, 170-196. Available from [www.wsipp.wa.gov/rptfiles/09-00-1201.pdf](http://www.wsipp.wa.gov/rptfiles/09-00-1201.pdf)

<sup>3</sup> Mayhew, P. (2003). Counting the Costs of Crime in Australia: Technical Report. Australian Institute of Criminology Technical and Background Paper Series No. 4.

<sup>4</sup> Day, A., & Casey, S. (2012). Assessing client outcomes in Youth Justice services: Current status and future directions? *Journal of Juvenile Justice*, 1, 112-124.

<sup>5</sup> Ministry of Justice (2010). *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*. London: HMSO.