

Dear Sir/Madam

I realise that I have missed the submission date for the enquiry into Justice Reinvestment. I hope nonetheless that my comments are useful.

All Australian citizens whoever they are and wherever they live have an interest in an efficient and effective criminal justice system that uses their tax dollars wisely. Those who have worked to support the millions of Australians who have been victims of crime have long noticed how much per capita goes into prisons and probation and the like. We also notice how little per capita is expended to support those made vulnerable by crime – especially violence. We see how little actual support is provided children and young people who are abused for example. Where longer term engagement around education missed and housing stability is needed. We notice too the enormous sums invested in the regulation and enforcement of child protection. Those of us who have worked with adults, young people and children victimised by all sorts of crimes know that getting people back on their feet is not a simple matter of six counselling sessions and a fistful of dollars. Investing in those who have been victimised, restoring their faith in the goodness of humanity and working to strengthen their own capabilities should also feature as an objective of any concept of justice reinvestment.

As a member of the Executive Committee of Victim Support Australia I can also say with confidence that those working in victim services and victim advocacy recognise and support measures to prevent crime occurring and to enhance the cohesion and opportunities in communities. Targeted investment in individuals and families who are financially and socially disadvantaged makes sense. Targeted investment in supporting those who have been victimised and need to get back on their feet also makes sense. None of this should happen at the expense of the other.

Furthermore, while the statistics show strong correlation between disadvantage and crime we should not assume that all crime results from poverty. For example, the violence done to women and children through sexual assault and abuse, and domestic and family violence is not causally related to socio-economic factors. The extent of white collar fraud is not causally

related to poverty. Different crimes require different responses. Their roots and the environments in which such crimes flourish are not all the result of disadvantage.

Similarly justice cannot be devolved to one dimension. I would argue that there are other values in justice that do not retract to the simple cost-benefit analysis that justice reinvestment implies. In particular justice emphasises accountability. The micro-processes involved for individuals and communities as well as in larger formal justice processes to enable and facilitate acknowledgment of wrongs and harms done provide a critical foundation for then deliberating on what should come next. I stress that accountability does not mean a retributive response. My own work has found victims of violence are desirous of a range of different possibilities often taken together. For them the different sentence options are not an either/or choice. Equally the victims I talked with were strongly supportive of outcomes that addressed three domains – victim, offender and community. This is the justice of equality and fairness. Everyone with a direct stake in a matter has an interest. Excluding one or other does not serve the interests of justice as a complex and deep value to Australians. Sometimes this will involve hard decisions. We see this in post-conflict settings overseas and we see it in our courts everyday.

I urge that the Committee be very aware of the diversity of harmful experiences that millions of Australians face and to adopt a concept of justice reinvestment that includes investing in those harmed by crime and violence.

Yours sincerley

*Ms Robyn Holder*

PhD Candidate

Regulatory Institutions Network

ANU College of Asia & the Pacific

The Australian National University

ACTON ACT 0200