



**JESUIT SOCIAL SERVICES  
SUBMISSION**

**Value of a justice reinvestment approach to criminal justice in Australia**

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## Introduction

Jesuit Social Services welcomes the opportunity to make a submission to the Senate Standing Committee on Legal and Constitutional Affairs on the *Value of a justice reinvestment approach to criminal justice in Australia*. We commend the committee for its interest in how communities throughout Australia might more effectively respond to criminal offending.

Jesuit Social Services works to build a just society by advocating for social change and promoting the health and wellbeing of disadvantaged people, families, and communities. For 35 years we have worked with people involved in the criminal justice system in Victoria, including young people, women and members of Aboriginal communities. We recognise that late-stage reactions to crime, particularly through arrests and incarceration, do little to reduce crime, and may in fact galvanise an individual's transition into chronic offending. Increased reliance on such measures is short-sighted, inefficient and unsustainably expensive, in financial and social terms.

In light of this, we welcome the implementation of holistic, innovative, evidence-based and goal-focused approaches to crime prevention in Australia. We are particularly heartened by the Australian Parliament's willingness to explore a greater emphasis on cultivating those social conditions and personal dispositions, especially in the young, which discourage the occurrence of crime, and genuinely remedial measures which reduce the likelihood of its re-occurrence.

At its broadest, 'justice reinvestment' can be understood as a policy framework to facilitate the redirection of resources towards crime prevention in preference to 'downstream' measures like policing and incarceration. However, studies by Jesuit Social Services and other agencies here and abroad, show that measures taken to prevent crime within delinquency-prone localities and groups with high rates of offending, also serve social justice ends and promote individual and group wellbeing, including community safety. In practice, efforts to implement this framework are characterised by a 'holistic' approach to understanding, effecting and funding crime prevention. Causes of crime are conceived widely; proposed solutions involve diverse sets of service providers acting in unison.

To avoid misinterpretation of our own position, we acknowledge the pioneering work done over decades in Australian jurisdictions to introduce what have often been called *alternative* forms of punishment. The problem with such terminology is that it confers a certain normative status on custodial and punitive measures. Our organisation's long experience points to effectiveness in crime reduction as a critical consideration in framing responses to crime. Of course, some offences are so abhorrent to members of the community as to warrant custodial sentences but those assisting offenders to live more constructive lives know that re-forming the pattern of one's troubled life inevitably involves discomfort for

that person that can even exceed that associated with the passive sitting-out of a term of imprisonment.

## Who we are and what we do

Jesuit Social Services works to build a just society by advocating for social change and promoting the health and wellbeing of disadvantaged people, families, and communities.

Jesuit Social Services works where the need is greatest and where it has the capacity, experience and skills to make the most difference. Jesuit Social Services values every person and seeks to engage with them in a respectful way, that acknowledges their experiences and skills and gives them the opportunity to harness their full potential.

We do this by intervening directly to address disadvantage and by influencing hearts and minds for social change. We strengthen and build respectful, constructive relationships for:

- Effective services - by partnering with people most in need and those who support them to address disadvantage
- Education - by providing access to life-long learning and development
- Capacity building - by refining and evaluating our practice and sharing and partnering for greater impact
- Advocacy - by building awareness of injustice and advocating for social change based on grounded experience and research

Leadership development - by partnering across sectors to build expertise and commitment for justice

The promotion of **education, lifelong learning and capacity building** is fundamental to all our activity. We believe this is the most effective means of helping people to reach their potential and exercise their full citizenship. This, in turn, strengthens the broader community.

Our service delivery and advocacy focuses on the following key areas:

- **Justice and crime prevention** – people involved with the justice system
- **Mental health and wellbeing** – people with multiple and complex needs and those affected by suicide, trauma and complex bereavement
- **Settlement and community building** – recently arrived immigrants and refugees and disadvantaged communities
- **Education, training and employment** – people with barriers to sustainable employment

Currently our direct services and volunteer programs are located in: Victoria, New South Wales and Northern Territory. Services include:

- ***Brosnan Services***: supporting young people and adults in the justice system, and assisting them to make a successful transition from custody back into the community. Within the suite of services are Perry House, Dillon House and Youth Justice Community Support Services.
- ***Jesuit Community College***: increasing opportunities for people constrained by social and economic disadvantage to participate in education, work and community life and reach their full potential.
- ***Artful Dodgers Studios***: providing pathways to education, training and employment for young people with multiple and complex needs associated with mental health, substance abuse and homelessness.
- ***Connexions***: delivering intensive support and counselling for young people with co-occurring mental health, substance and alcohol misuse problems.
- ***The Outdoor Experience***: offering an alternative treatment service through a range of outdoor intervention programs for young people aged 15 – 25 years, who have or have had issues with alcohol and/or other drugs.
- ***Community Programs***: working with people on public housing estates across metropolitan Melbourne, including the African Australian and Vietnamese communities, and supporting remote Aboriginal communities in governance and capacity building initiatives in Central Australia
- ***Western Sydney Program***: delivering social enterprise and other community building that provide affordable food, training and employment opportunities to people living in the area of Mount Druitt, Western Sydney.
- ***Support After Suicide***: supporting people bereaved by suicide, including children and young people.
- ***Community Detention Services***: delivering case management support to asylum seekers, including unaccompanied minors, in community detention.

Research, advocacy and policy are advanced through our Policy Unit, coordinating across all program and major interest areas of Jesuit Social Services.

## Summary of recommendations

**Recommendation 1:** The Federal Government to take lead responsibility for developing a framework for justice reinvestment in the Australian context. This framework could be developed in consultation with the states and territories through the Standing Council on Law and Justice.

This will require articulation of key principles to guide State implementation. Principles recommended by Jesuit Social Services are:

- The starting place for a justice reinvestment framework should be the right to respect, dignity and compassion for all human beings. Integral to this is cultural respect, foremost for the first Australians, Aboriginal people
- Service models to be implemented should be evidence based, and outcomes and processes should be evaluated to ensure effectiveness and compassion
- Approaches should be place based with representative governance processes to ensure comprehensiveness, requisite skills and expertise, and collaborative decision making.

**Recommendation 2:** Federal government to steer and fund development of infrastructure required for data capture and evaluation necessary to support justice reinvestment

**Recommendation 3:** The framework for justice reinvestment ensure a whole of government approach where outcomes are realistic and provide incentives for humanitarian, health and welfare, and community functioning outcomes as important ends in themselves.

**Recommendation 4:** Justice Reinvestment projects be funded by government, independently of any advancement of social financing models.

## Response to the Terms of Reference

### Imprisonment in Australia: trends, consequences and alternatives

*(a) The drivers behind the past 30 years of growth in the Australian imprisonment rate.*

There is ample evidence that the Australian rate of imprisonment is largely independent of the incidence of crime. It is more a function of policy, the length of sentences imposed (and their summation), and, at any given time, the size of the operational police service. Decades ago research conducted at the Australian Institute of Criminology showed no significant correlation between offence levels and rates of imprisonment, no matter how long a period was allowed between the volume of offending and the calculation of rate of incarceration. The politico-social atmosphere of the day can exert a strong influence on society's use of imprisonment. A striking example occurred in New South Wales in the years immediately following a Royal Commission that exposed the brutality of the prison regime, followed by a period of intense penal reform. Over three years (1979-1981) the prison population decreased by 20%.

Victoria has long attempted to maintain a moderate level of imprisonment. Comparative studies around 1980 showed that the rates in Victoria and Holland were below those of New South Wales. The citizens of New South Wales were no less law abiding than the citizens of Victoria: the difference was that Victorians sent to gaol served shorter sentences – as was the case in Holland. Around that time the reformist Victorian Minister for Prisons, Mr Walter Jona, declared quite candidly that the Government was attempting to lead public opinion.

More recently, a politician of different political persuasion, Mr Rob Hulls, gave practical support to the therapeutic justice practised in Victorian Courts. The Court Integrated Services Program (CISP) was introduced in 2006 as a pilot program. It is designed to “ensure that defendants get support and services to reduce re-offending and to make communities safer.” The estimated benefit of the program is \$1.70 for every dollar spent on the CISP program. Through various referral and delivery processes, CISP provides a range of services including mental health, acquired brain injury, alcohol and drug treatment programs, and accommodation, employment and social support services. The recidivist rate amongst CISP participants is 39.5% compared to 49.5% amongst members of a control group. The conclusion has reasonably been drawn that CISP participants are less likely to re-offend and where they do offend, they offend less frequently. These findings resonate with the experience of Jesuit Social Services which provides a similar range of services to offenders through its Brosnan Centre in Melbourne.

The type of practicality demonstrated by two Victorian Ministers from different political camps contrasts with one of the main driving forces behind the growth in the Australian

imprisonment rate over the past 30 years. We refer to the marked tendency for governments in the Australian jurisdictions to see political advantage in public displays of 'toughness' in the handling of offenders. In some instances toughness (without the theatrical accompaniments) has its justifications but when displayed unthinkingly it can only have negative consequences:

(i). it has no regard for the very substantial proportion of offenders who come from markedly disadvantaged backgrounds (see later sections of this submission). A judicious observance of programs like CISP carries benefits for the government coffers as well as the collective conscience of the community;

(ii). It contributes to barbarous relationships and conditions, and limits reformative influences, within crowded prisons.

Illustrating this last point, it is perhaps notable that under more recent 'tough on crime' policies in Victoria, the most recent Report on Government Services (2013) shows that Victoria's average daily prison population has increased by 5.3% compared to a national average increase of 1.7% between 2010/11 and 2011/12 (Table 8A.1). Alongside this, Victoria has above the national average for rates of prisoner on prisoner serious assaults and assaults, and assaults of prisoners on officers (Table C.9).

That changes in social climate have a major bearing on rates of imprisonment is well illustrated by prison populations across Europe, especially in the Netherlands which in the 1980s was held up as an example of a rational, moderate society with respect to punishment. In 1985 the rate of imprisonment was 33 per 100,000, certainly one of the lowest in the Western world. [The rate in the then prison-less ACT was somewhat comparable]. As part of what has been called a "punitive turn" in Western democracies the rate of imprisonment increased thereafter. An apparent contributing factor, apart from the example of increasing prison populations in the US and England and Wales, was a number of horrifying and well publicised violent crimes. Then a few years into the 21<sup>st</sup> century the Netherlands, Germany and some other countries (including Sweden, Switzerland and Portugal) began to reduce their prison populations. In the case of the Netherlands, as previously noted, the tendency to impose short sentences is part of the explanation, as also is the lesser use of indeterminate sentences. As with previously mentioned Australian research, scholars can find no straightforward relationship between the size of the prison population in a country and the level of recorded crime.<sup>1</sup> This trend contrasted with what was happening in England and Wales where, notwithstanding a reduction in crime, the prison population continued to rise. By 2009 the prison population in the Netherlands had reduced by 25% and plans were announced to close eight prisons and reduce staffing by 1,200 positions. Further reductions in the number of prisoners are planned. Now, according

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<sup>1</sup> Aebi, M., Barclay, G., Jorg-Martin, J., Killias, M., (1999) *European Sourcebook of Crime and Criminal Justice Statistics: Key Findings*, Strasbourg; Council of Europe

to up-to-the-moment intelligence, the responsible State Secretary is adopting a more punitive approach and developments may be a little less certain.

What one senses is an inter-play between political (and bureaucratic) opportunism, and a deeply ingrained strain of tolerance in the culture under-pinning a social structure described as the 'Pillarization of Dutch Society,' - the segmentation of society in religious and secular blocs and sub-cultures. In part, the reduction in the number of prisoners has been made possible by the increased use of community service penalties, a reduction in the number of serious offences before the courts, and the adoption of crime prevention measures. A striking feature of the court processing of offenders has been that the sentencing tariffs for different categories of crime have remained stable over three decades. One of the leading figures in justice administration, Jan Van Dijk, has commented: "Radical changes in levels of crime, public opinion on crime and in available resources for crime control, seem not to have had any discernible impact on the sentencing tariffs of the Dutch courts," drawing the following comment from Allen (2012):<sup>2</sup> "It appears that Dutch courts may be less responsive to external pressures than elsewhere." This makes sense to anyone familiar with the continuous discourse between sentencers, the justice administration and academic criminologists, including those who staff the highly professional and sophisticated research unit within the Ministry of Justice in Den Haag.

*(b) The economic and social costs of imprisonment.*

As the number of prisoners increases, so, too, do the capital and recurrent costs associated with the prison system. The moment the decision is taken to build a secure prison, the fabric of the institution must be consistent with the public expectation that no one can flee from custody, with consequences for the choice of materials, design and duplication of basic amenities. Inevitably this means that capital costs are very high, however their extent depends upon whether or not the prison takes some 'open' form.

Because prisons require 24 hour staffing the ratio of employees to inmates, particularly in security goals, is high. Overall, salaries is the major item of expenditure, an outlay that is radically reduced with increased use of community corrections, and even more so by effective crime prevention. Some politicians have seen the privatising of prisons as one way of capping costs, especially as they are anticipated to be less influenced by union traditions concerning necessary levels of staffing. Equally encouraging to some administrators is the potential to use the inclusion of some private prisons as an industrial lever on the industrial demands of unionised staff.

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<sup>2</sup> Allen, R., (2012) Reducing the use of Imprisonment. What can we learn from Europe? London, Criminal Justice Alliance



Estimates of the reduced financial cost of managing offenders via community corrections vary widely but a level around one – eighth to one-tenth of the cost of custodial settings appears sound.

The social costs of imprisonment include –

- The emotional harm caused to members of the prisoners' families, manifested in children's disengagement from schooling and an oft repeated 'phased deterioration' in the relationship of partners and the imprisoned person;
- The loss of responsibility for the wellbeing of prisoners' families;
- The interruption caused to employment, study and other life opportunities – and often the difficulty of being restored to those opportunities;
- Stigmatization;
- Consolidation of anti-social thinking and behaviour;
- The fostering in the public mind of negative stereotypes;
- Political engagement in scapegoating and myth-making.

*( c ) The over-representation of disadvantaged groups within Australian prisons, including Aboriginal and Torres Strait Islander peoples and people experiencing mental ill-health , cognitive disability and hearing loss.*

The over-representation of disadvantaged groups in prisons is reflected in Jesuit Social Services' work with offenders. Our caseworkers deal incessantly with people of very limited education, unstable housing arrangements, limited work opportunities, poor health and inadequate funds. More pointedly, we have systematically and formally studied the relationship between offending and different dimensions of disadvantage at the level of social geography via a series of three studies (*Unequal at Birth*, 1999; *Community Adversity and Resilience: the distribution of social disadvantage in Victoria and New South Wales*, 2004; *Dropping Off the Edge, the distribution of disadvantage in Australia*, 2007). The second of the three studies was financed by the Victorian and New South Wales Governments and it would be accurate to say that Jesuit Social Services has been a leader in developing the social-geographic perspective on disadvantage and crime. The information yielded by our application of 24 indicators of disadvantage to postcodes and areas of comparable scale throughout Australia forms the basis of a later section of this submission on justice reinvestment. For the moment, it provides a clear indication of the connection between imprisonment (and offending generally) and disadvantage.

The 2004 study of Victoria applied 15 indicators of disadvantage to 647 postcode areas with imprisonment as one of the indicators. Just 2.1% of the postcodes accounted for 25% of prison admissions; 7.3% accounted for 50%. A separate Jesuit Social Services study (*Young People on Remand in Victoria*, 2010) found that a remarkably similar pattern applied among young adult remandees – 2.2% of Victoria's postcodes accounted for 25% of these cases.

More recently we have found 2.5% of Victoria's postcodes account for 25% of children on youth justice order (*Thinking Outside: Alternatives to remand for children*, 2013).

Elsewhere in Australia, results are similar. Recent research into chronic youth offending in Queensland found the 10% of Queensland's postcodes accounted for 40.4% of chronic youth offenders and more than half of the state's total chronic offending costs. Among this 10%, the cost of offending ranged from \$2.4 to \$14 million *per postcode* (Allard, Chrzanowski & Stewart 2012). Again, these same areas—in Victoria, Queensland and elsewhere—are characteristically burdened with deep disadvantages: unemployment, child development deficits, family disintegration and others.

Further, the recently released research from Jesuit Social Services (*Thinking Outside*, 2013) into youth on remand in Victoria has demonstrated how children involved in the criminal justice system at younger ages are likely to come from areas with higher levels of disadvantage and developmental vulnerability in children. The research found that Victorian children who were aged 14 or younger at their first youth justice order were more likely to come from areas with higher rates of children with developmental vulnerabilities on the Australian Early Development Index (AEDI) and higher rates of missed maternal and child health appointments (at 8, 12, 18, and 24 months). Looking specifically at children who experienced remand, we found that only 27 children in the youth justice population in 2010 had experienced remand between the ages of 10 and 12. However, those who first experienced remand at age 10-12 years were all known to child protection, with more than half of them known to child protection before the age of 3 years. Thirty per cent were Aboriginal.

A little further on in this submission we will show how prison admissions mesh with other social variables but for the moment we wish to address the issue of the high rate of admission to gaols of Aboriginal and Torres Strait Islander peoples. In the 1970s the New South Wales Bureau of Crime Statistics and Research, in collaboration with the Chief Magistrate, demonstrated that the penalties imposed by Local Courts in towns with a substantial ATSI population were more severe than imposed elsewhere for the same offences. Twenty five years later, a *Comparison of the Sentencing of Indigenous and non-Indigenous Prisoners in New South Wales* (UNIYA Jesuit Social Justice Centre, 1998) allowed of the possibility of testing whether or not differences in penalties seemingly attributable to *Aboriginality* or *non-Aboriginality* in fact reflected the influence of associated factors like age, a record of previous offences of the same kind, court location, previous admissions to prison, the seriousness of previous offences, and the social status background of the offender. When all of these considerations were taken into account, no differences were found in the length of custodial sentences given to male Aboriginal and non-Aboriginal offenders, once allowance is made for the key variables of age and seriousness of the offence. A more limited analysis of the sentencing of women offenders indicated that Aboriginal women with 'light' criminal antecedents (in terms of a history of similar offences

or number of previous prison admissions) were dealt with rather more harshly. However, they fare comparatively better than non-Aboriginal offenders when the comparison is confined to people with 'heavier' records.

The overall conclusion drawn was that past (early) trouble with the law is a factor contributing to the duration of a sentence, and therefore the high rate of imprisonment of Aboriginal adults. This raises the issue of whether police surveillance of the behaviour of Aboriginal youth casts a long shadow. If such scrutiny is common practice it could result in the accumulation of legal 'demerits' which sentencers feel obliged to take into account in determining the scale of penalties for adult offences. Our *Thinking Outside* research certainly found a disproportionate number of young – barely eligible by age – Aboriginal children coming to the attention of the Victorian police, and being disproportionately represented among those placed on remand and in youth justice more broadly.

So far as prisoners suffering mental ill-health are concerned, we concur with the now frequently made observation that the decarceration of psychiatric hospitals and the limited community-based replacement care available, has seen an increased drift of emotionally and mentally disturbed people into Australia's prisons.

*(d) The cost, availability and effectiveness of alternatives to imprisonment, including prevention, early intervention, diversionary and rehabilitation measures*

A growing number of responses to crime-linked social problems emphasise integrated, flexible and localised responses. Jesuit Social Services is proud to have contributed to some of these schemes. We have advocated elsewhere (Jesuit Social Services 2011) for the benefits of group conferencing programs, both through the courts and as trialled in schools in Queensland, Victoria and New South Wales (Little & Karp 2012). We employ a number of group conference convenors to facilitate court-ordered group conferencing. A 2010 KPMG report found that participants in these programs were more than 50% less likely to re-offend over two years than offenders in a comparison group. Often, these services can be a means for connecting young people who have come into contact with the criminal justice system with services to address their ongoing needs.

In addition, we offer programs such as The Outdoor Experience, an activity-based intervention program for young people with alcohol and substance misuse problems; Ignite Cafés, which offer hospitality and enterprise training to young people in Western Sydney and suburban Melbourne; and Artful Dodgers Studio, an art and music studio for young people who have suffered mental health or alcohol and drug abuse problems. In each case we endeavour to work with various levels of government, teachers, counsellors, social workers and experts from the local community.

As stated above, community corrections responses are costed at one-eighth to one-tenth of custodial sanctions. Moreover, there is no empirical support that incarceration acts as a

specific deterrent to subsequent crime or, therefore, makes for a safer community (2011. Sentencing Advisory Council. Donald Ritchie. Sentencing Matters. Does Imprisonment Deter? A Review of the Evidence). By contrast, as reported in our *Thinking Outside* research, findings of meta-analysis on the impacts of correctional programs considering the results of 548 evaluation studies (Lipsey et al. 2010) found that one of the key aspects to the success of programs was whether they utilised control or treatment philosophies. Control philosophies emphasise external control techniques for suppressing delinquency (for example, instilling discipline, fear of consequences, and surveillance) while treatment philosophies focus on behaviour change by facilitating personal development by means such as restoration, personal and vocational skill building, counselling and multiple coordinated services. The study concluded that programs with a therapeutic philosophy were more effective than those with a control philosophy. With specific respect to young people, approaches that have been shown to reduce further offending by participants include family-based interventions, multi-systemic therapy, community-based interventions, behaviour modification, and cognitive behavioural therapy. More will be said about effective community based interventions later in this submission.

## **Understanding Justice Reinvestment: existing approaches and experience**

(e) *The methodology and objectives of justice reinvestment.*

(h) *The implementation and effectiveness of justice reinvestment in other countries, including the United States of America;*

### ***Defining justice reinvestment***

Justice reinvestment is a broad strategem to divert a significant proportion of the money currently spent on the pre-and post-sentence institutional detention of alleged and confirmed offenders, to broadly-based crime prevention measures of demonstrable effectiveness, in communities whose *residents* experience high rates of criminal convictions and where the preventive measures entail *community level* processes that help to build well functioning communities (as described in a later section of this submission).

### ***Methodology: understanding crime and its causes***

Globally, the move towards a justice reinvestment framework has been driven in part by a realisation that small subsets of communities within a state or nation are far more likely than others to generate chronic, costly offenders. Within this subset, crime is correlated with a confluence of social problems—from unemployment to drug and alcohol dependency, mental illness, poor access to education and training, dysfunction within families and so on. The conception of crime and its causes thereby arrived at is a ‘holistic’ one.

It is important to note that while the term ‘justice reinvestment’ has been coined relatively recently, elements of the methodology (a holistic approach to crime prevention) have been

evident in practice for many years. This is particularly the case in Europe where initiatives such as the Bonnemaison scheme of the 1980s in France placed focused on increasing local social opportunities and solidarity within disadvantaged French communities. Typically, plans involved sustained attempts by locally-based agencies to enhance access to marginalised young people and ethnic minorities to mainstream educational, employment, cultural, training and recreational opportunities. Rather than relying on individual projects it tried to embed crime prevention in ongoing social institutions and processes. Fascination with the diversity of initiatives and strong local involvement in implementation, the scheme, nonetheless, was well-structured to ensure that crime prevention retained coherence and a distinctive identity and provided a framework and priorities. About the same time similar initiatives were being taken in Sweden where the objective of the National Crime Prevention Council (BRÅ) was to engage all relevant actors (the family, the school, the health care services, the criminal justice system and other relevant organisations) in building greater solidarity and opportunity for youngsters living in high-crime areas.

The term 'justice reinvestment' has more recently been associated with experiments in approaches taken in the US. The emergence and growth of this approach in the US is unsurprising given the scale of incarceration throughout that country. This is evident in initiatives to map geographical crime patterns, through which researchers identified 'million dollar blocks' in several states and cities: zip codes or city blocks which had produced offenders whose annual incarceration costs exceeded a million dollars. In some cases, these concentrations are remarkable. In 2007, Arizona spent more than \$70 million incarcerating residents from a single zip code; incarceration rates in this area were more than fourteen times the state average. In Houston, Texas, a recent study showed that ten of the city's eighty-eight neighbourhoods account for nearly \$100 million in annual prison spending (Clement, Schwartzfeld & Thompson 2011).

In Australia, the three social-geographic studies undertaken by Jesuit Social Services (as previously described) have pioneered a methodology for charting areas in which there is a concentration of people vulnerable to offending, and the cumulative degree and nature of socially disadvantageous conditions that accompany its occurrence. The starting point is the area of domicile of offenders – not the *places* in which crime occurs as reported by police services. Involved in profiling the social circumstances of Australia's 'communities' is the choice of the smallest geographic units for which reasonably rich data is available, namely, postcode areas or their near equivalent. Then the relevant authorities and organisations have to be persuaded to share data which, in many cases, otherwise remains unused and stored in filing cabinets. Nevertheless, as a community-based organisation without an officially sanctioned role, Jesuit Social Services has managed to overcome the clerical/administrative obstacles and obtain such cooperation from all Australian state and territory jurisdictions except the Northern Territory which posed separate technical difficulties. A sanctioned government agency should have even less difficulty in extracting the necessary data (see the concluding section of this submission). The result to-date has

been the 2007 publication *Dropping Off the Edge* which applied the following indicators to several thousand communities throughout Australia:

SOCIAL DISTRESS – low family income, rental stress, home purchase stress, lone person households;

HEALTH – low birth weight, childhood injuries, immunisation level, disability/sickness support, life expectancy, psychiatric admissions, suicide;

COMMUNITY SAFETY – child maltreatment, criminal convictions, imprisonment, domestic violence;

ECONOMIC – unskilled workers, unemployment, long-term unemployment, dependency ratio, low mean taxable income, limited computer use/internet access;

EDUCATION – non-attendance at pre-school, generally limited education, early school leaving, and post-schooling qualifications.

In the light of our findings one or two of the above indicators add little to one's understanding of disadvantage but the overall impression is of the inter-connectedness of the variables. They appear to describe a web-like structure of disadvantage in extreme cases which is illustrated by the degree of vulnerability of the 3% most disadvantaged localities in each jurisdiction compared with the remaining 97%. The previous Jesuit Social Services studies had conditioned us to expect a doubling of the rates of occurrence of various indexes but here are some of our findings nationally:

- WESTERN AUSTRALIA (5 localities comprising 3% most disadvantaged) – Prison admissions x 15.0; long-term unemployment x 5.5; disability/sickness support x 4.75;
- QUEENSLAND (14 localities) – Child maltreatment x 3.0; prison admissions x 3.0;
- NEW SOUTH WALES (20 localities) – Child maltreatment x 4.5; prison admissions x 3.5;
- VICTORIA (22 localities) – Year 12 incomplete x 3.0;
- SOUTH AUSTRALIA (4 localities) – Child maltreatment x 3.75; long-term unemployment x 3.2

More detailed tabulations present the rank position of each postcode on each indicator so that within each locality one can see, for example, how the area stands on criminal convictions and/or imprisonment rate alongside associated variables, as well as a cumulative score across all of the indicators. This cumulative disadvantage score is the outcome of a statistical analysis using a method known as *Principal components analysis*.

The relationship between crime rates and social circumstances and the social climate in identifiable areas can be analysed in a number of ways. For example, the correlations

between the rankings on criminal convictions and the summary (cumulative) risk factor were high (of the order of +.07 or above) in Victoria, New South Wales, South Australia and the ACT and moderate (of the order of +.55) in Queensland and Tasmania (see Technical Appendix, Loadings on Principal Components in *Dropping Off the Edge*). Another more direct grasp of the situation can be gained from simply looking at the profiles of the localities in each jurisdiction that appeared in the top 5% of rankings on one or more of the indicators. Having identified the most disadvantaged localities by this simple method we can then ask what were the most recurring features of these places? There were twelve characteristics that were prominent in the profiles of these disadvantaged areas. Applying a slightly more stringent test, computer use, criminal convictions, prison admissions, low family income, long-term unemployment and internet access were to the fore in six or seven of the jurisdictions.

Utilising data of the above-mentioned kind would enable wise and informed choices to be made in selecting crime vulnerable localities (in the sense of the domicile of offenders) in which associated variables point the way to additional social investments that contribute to crime prevention and avoidance of much larger investments in generally unproductive punitive programs. Here are two further refinements that can be based on the type of data recommended. The first is to view localised disadvantage from the viewpoint of the ways in which it is patterned and held together by 'struts' in the form of indicators that correlate with a number of others. These connecting elements in the form of the major inter-correlating variables include eight that were the most inter-correlating ones across seven jurisdictions. The most prominent serving that role in four to seven instances, were low family income, low skilled workers, Year 12 incomplete, long-term unemployment, generally limited education, limited post-schooling qualifications, limited computer use and lack of access to the internet. One can intuitively see linkages between measurable deficiencies in education and training (including computer familiarity and use), a lack of marketable work skills, and consequential unemployment and deficient income – one would think a recipe for involvement in much criminal behaviour.

In essence, the research outlined above, both overseas and as pioneered in Australia by Jesuit Social Services, points to a taxonomy of crime and its causes not in terms of discrete issues and circumstances, but *whole places* afflicted by complex aggregates of disadvantage. Correspondingly, the proper 'objects' of treatment are not singular issues but whole communities. It is on that basis that we speak of a 'holistic' conception of crime here.

### ***Initiatives to prevent and respond to crime***

In addition to identifying crime and its causes within particular communities, research supported a further vital conclusion: problems in these communities were best prevented *from within* these communities. Justice reinvestment involves the allocation of resources towards effective means to achieve this. Within the justice system this can mean providing offenders or potential offenders with local options for supervision, treatment and training.

This has consistently produced better outcomes than connecting them with larger-scale, institutional mechanisms (Mendel 2010; Clement, Schwartzfeld & Thompson 2011). Service users can access services more easily; retain supportive ties while receiving services; and when programs conclude, transition more naturally and smoothly into the business of getting on with their lives. Specific interventions and approaches that have been shown to be effective within the justice system were outlined above in our response to term of reference (d).

In light of the evidence regarding the links between cumulative disadvantage and crime, justice reinvestment also necessitates interventions that focus on the root causes of crime. This can start with strong educational outreach, starting with parental support and involvement (as in a highly successful program based in Mildura Central School), and ample pre-schooling and intensive learning in the early years of formal education, individually focused attention during primary school years, the careful bridging of primary and secondary education in schools that include sufficient older and experienced quality teachers (with the necessary professional and financial incentives to make that happen). For young adults, traineeships, apprenticeships and where possible locally generated work projects may have a major role to play – like Gwydir Council’s Living Classroom and proposed Interpretive Centre in Bingara in Northern NSW – to develop basic skills in otherwise poorly educated and vocationally untrained young people.

A celebrated justice reinvestment type program in Inala, Queensland, has recently celebrated its 10<sup>th</sup> Anniversary. It was started under the leadership of Professor Ross Homel, with participation of Griffith University, Mission Australia and the State Government. The project, known as the *Pathways to Prevention* project supports at risk children and families with a view to reducing the likelihood of children becoming involved in crime. Professor Homel describes the area as being markedly disadvantaged: “In this community more than 40% of households live below the poverty line and the juvenile court appearances rate is five to eight times that of (most) other areas.” The project provides a number of linked family support programs intended to provide ‘wrap-around’ support to local families and children. Included are early childhood initiatives, parenting support programs, and personal development programs for primary school children.

Health services have an important role to play. There is agreement in the literature that poor health hinders many Aboriginal children’s school attendance and restricts their ability to learn. The principals of primary schools and teachers in the pre-schools attached to public schools in New South Wales currently place at the top of their list of challenges, their inability to obtain timely assistance from health centres in responding to speech difficulties and emotional/behavioural problems in pre- and early education students.

It is clear that education and training needs to loom large in justice reinvestment projects and, if managed with patience, energy and encouragement the benefits will extend to particular groups that are not currently flourishing in this regard. More than a decade ago



the country's Ministers of Education (MCEETYA, 2001) declared that completing year 10 or 11 increases an Aboriginal person's chance of employment by 40%. Completing Year 12 increases employment by a further 13 per cent. In a neglected but highly insightful study, two researchers then attached to the Australian Institute of Criminology (Walker and McDonald, 1995) showed that when the rates of imprisonment of Aboriginal and non-Aboriginal people were analysed in terms of employment and education status, it was demonstrated that these two factors exerted a major influence on the likelihood of imprisonment. For example, the effect of being unemployed was over twice the effect of being Aboriginal.\*

Of course, the crime reducing benefits of extended education are not confined to Aboriginal people. The NSW Bureau of Crime Statistics and Research has presented general evidence of a significant negative association between young people's continued participation in high school and their involvement in unemployment and crime. Bureau researchers Chapman, Weatherburn, Kapuscinski, Chilvers and Roussel (2002)<sup>3\*\*</sup> have reported that:

Elimination of long term unemployment amongst males aged 15–24 by direct job creation would result in close to a 7 per cent reduction in property crime in NSW per annum. Better still, if these individuals continued in formal education to the end of senior high school (increasing school retention by an extra 7000 individuals) the reduction in break, enter and steal over the course of a year would amount to almost 15 per cent. The results highlight the potential societal benefits in terms of crime reduction that might follow from the institution of policies that are effective in the reduction of long-term unemployment and promote young people's educational success.

### ***Experience delivering broad based interventions***

Justice reinvestment seeks an 'isomorphic' approach, where the organisational and fiscal parameters of responses to the social causes of crime mirror the 'shape' of those causes, rather than arising from arbitrary institutional or historical boundaries. In other words, if, in a particular community there is an issue with poor school attendance, then a set of local organisations and local government authorities should coalesce around this issue, seeking to address its various facets (family breakdown, youth drug and alcohol misuse, etc.) in a unified way. Pathways to Prevention, which was discussed previously, is one example of this. However, it is important to note that in practice, efforts to implement these types of interventions are often challenging.

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\* Walker, J., McDonald D., (1995) "The Over-representation of Indigenous People in Custody in Australia," Trends and Issues in Crime and Criminal Justice, Canberra, Australian Institute of Criminology.

\*\* Chapman, B., Weatherburn, D., Kapuscinski, C., Chilvers, M, and Roussel, S (2002) "Unemployment duration, schooling and property crime," *Contemporary Issues in Crime and Justice*, No. 74, Sydney, NSW Bureau of Crime Statistics and Research

Some efforts in the US and the UK have been described as largely fragmented, uncoordinated and under-resourced. In these countries, the bulk of funds have been spent on incarceration—in 2009/10, for instance, the UK's Youth Justice Board spent five times more on imprisonment than prevention measures (Reeder & Aylott 2012)—and when they *have* gone into alternative measures, it has been mostly to separate organisations and government departments, pursuing distinct agendas and failing, in the main, to seize opportunities to cooperate (Lanning, Loader & Muir 2011; Cadora 2007; Clement, Schwartzfeld & Thompson 2011). More than a mere absence of cooperation, fragmented and deficient funding has produced conflict. Organisations in related fields do not just compete over diminishing funding pools; they are make gains at one another's expense (Reeder & Aylott 2012). Though these organisations share wider objectives, they too often have not shared more proximate standards of success and failure.

Nonetheless, there are examples of initiatives described as 'justice reinvestment' from the US and UK which have achieved some level of coordination and have also managed to reduce levels incarceration and associated costs. It is important to note that, many other international and Australian approaches (as outlined earlier) have had similar success without formally being described as 'justice reinvestment'. A program in New Hampshire, which combined drug and alcohol treatment programs with longer parole supervision periods for chronic offenders and diversion programs for young or non-violent offenders, achieved declines in recidivism which yielded a \$7-\$10 million drop in corrections spending, and \$179 million in projected savings through obviated prison expansion measures. Similar programs in Kansas, Arizona and elsewhere achieved equally positive results. In each case, a portion of the state's savings were reinvested into the consolidation and expansion of crime prevention strategies.

Similar pilots implemented by the Coalition Government in the UK are encouraging. The Government has facilitated specific multiagency initiatives, such as the 'Women MATTA' program providing one-to-one peer mentoring and family interventions for women in north-west England, and the Camden Council Reducing Reoffending Unit, a nine-member team incorporating police, drug intervention officers, caseworkers and probation officers directed at individuals at risk of entering the criminal justice system, including those who have received multiple cautions. Preliminary estimates suggest that Women MATTA will yield net public savings of £2.6 million and wider avoided costs of almost £14 million.

The kind and degree of cooperation between agencies conducting these efforts varies. Cooperation on budgets ranges from ad hoc, project-based arrangements between otherwise distinct service providers; to 'community innovation pots', where organisations set aside a portion of their budgets for multiagency enterprises; and formally pooled budgets, where linked organisations share resources in pursuit of a common objective (recidivism reduction, for example, or drug and alcohol treatment). Innovation pots can be managed by steering committees, perhaps with representatives from each of a set of

organisations. Formally pooled budgets have sometimes been overseen by an appointed host authority—who might be an individual or group established for the task, or a pre-existing community organisation. Beyond managing budgets, such authorities can set goals for the group, and ensure compliance with data and reporting standards (Reeder & Aylott 2012).

More generally, a study of 12 of the US' state-based multiagency programs distilled numerous crucial elements for successful multiagency responses. These included:

*“[L]eadership by one or a small number of leaders who are able to enlist the support of the human services community; experienced managers as both program administrators and members of the local human services community who facilitate efforts to develop connections between programs; staff training and development, with cross-program training at regular intervals...[and] willingness to take chances, experiment, and change, as well as independence from higher level bureaucracy to implement untried strategies” (Wiig & Tuell 2008 in McGinness & McDermott 2010).*

**Recommendation 1: The Federal Government to take lead responsibility for developing a framework for justice reinvestment in the Australian context. This framework could be developed in consultation with the states and territories through the Standing Council on Law and Justice.**

**This will require articulation of key principles to guide State implementation. Principles recommended by Jesuit Social Services are:**

- **The starting place for a justice reinvestment framework should be the right to respect, dignity and compassion for all human beings. Integral to this is cultural respect, foremost for the first Australians, Aboriginal people**
- **Service models to be implemented should be evidence based, and outcomes and processes should be evaluated to ensure effectiveness and compassion**
- **Approaches should be place based with representative governance processes to ensure comprehensiveness, requisite skills and expertise, and collaborative decision making.**

## **Implementing a justice reinvestment approach in Australia**

*(f) The benefits of, and challenges to, implementing a justice reinvestment approach in Australia*

*g) the collection, availability and sharing of data necessary to implement a justice reinvestment approach;*

*(i) the scope for federal government action which would encourage the adoption of justice reinvestment policies by state and territory governments;*

Having canvassed some of the methods and objectives of the justice reinvestment framework, we can begin considering the benefits of, and challenges to, implementing a justice reinvestment framework in Australia. Jesuit Social Services believes that efforts to import this framework in Australia face various challenges that need to be explored in more detail and depth.

First, a justice reinvestment framework demands data: evidence on the nature of crime and associated disadvantage in Australia, and on which preventative strategies are most (and least) effective. To collect and share data in turns requires the establishment of infrastructure for that purpose. There is substantial room for such infrastructural development in Australia.

Secondly, attention must be directed towards community level processes and building the resiliency of communities affected by high levels of crime and imprisonment.

### ***The Need for Informational Infrastructure***

Within Australia, there are some examples of sophisticated ‘informational infrastructure’ required to make justice reinvestment a reality. In New South Wales, substantial data-collecting and –sharing is carried out by the Bureau of Crime Statistics and Research (BOCSAR), which collects and analysis data across the entire criminal justice system. In terms of information on the deeper disadvantage within crime prone communities, Jesuit Social Services experience undertaking Dropping Off the Edge project has shown us that substantial data can be utilised. Utilising this data would enable wise and informed choices to be made in selecting crime vulnerable localities (in the sense of the domicile of offenders) in which associated variables point the way to additional social investments that contribute to crime prevention and avoidance of much larger investments in generally unproductive punitive programs.

For the requisite improvements to occur, State and Commonwealth Government must look to promote knowledge sharing and best practice between state-based organisations, at broader policy levels and in the specifics of program development. At a Commonwealth level, another viable avenue is the establishment of a nationwide, independent statutory body to oversee the collection, analysis and publication of criminal data in each state and territory. The implications of the work undertaken would be of such import as to warrant the long overdue creation of the role of Chief Social Scientist, to advise the Government on the establishment and operation of the statutory body and the scientific underpinnings of social policy issues more generally. This officer would assist the Government to establish a justice reinvestment policy framework, which sets out for states and territories the general methodology and objectives of justice reinvestment schemes, and includes minimum standards for the collection and dissemination of data.

More broadly, the Commonwealth must continue to find ways to promote and fund research into the topology of and solutions to crime in Australia, through coordinating the

work of the Australian Institute of Criminology and academic institutions, facilitating mutually beneficial relations with international centres of excellence in the field such as WODC within the Dutch Ministry of Justice and the counterpart Swedish criminological research centre, as well as American and English equivalents. Justice reinvestment needs to be made a priority field for ARC funding and a priority concern of the Australian Social Inclusion Board.

**Recommendation 2: Federal government to steer and fund development of infrastructure required for data capture and evaluation necessary to support justice reinvestment**

***Community level processes***

Today all levels of government speak repeatedly of strengthening communities, yet that objective is hardly broached when all that is really attempted is the relocation of services and their provision with the object, as previously, of providing a benefit to individuals and households. To be perfectly blunt, experience shows that confinement to that level of thinking and action is mainly due to the apparent inability of those involved to conceptualise the task involved on a sociological plane – to go beyond providing ‘old (albeit improved) wine in new bottles.’ There is abundant evidence that the way a community, *qua community*, operates, and the social environment thereby created – particularly with respect to identifiable aspects of social cohesion and an orientation to community improvement – can make a positive contribution to community well-being over and beyond the benefits wrought by effective services to individuals and households.

Since the days when Jane Jacobs (1961) coined the phrase “unseen fibre” to describe the fine structure of society, many scholars have attempted to describe both the fibre and its social effects. A submission to an inquiry is not the place to trace, at book length, the evolving insights of that scholarship. However, an Australian publication based on research in a number of locations but principally Mildura, is imminent. Here our principal purpose is to present for the inquiry’s consideration the concept of a *well-functioning community* and the constituent processes that make it so, to the benefit of residents and the abatement of problems, including crime. By way of backgrounding the importance of this concept to those engaged in providing community services we wish to make initial reference to just a very few of the seminal studies showing the influence of *community level* factors on levels of health and law-abiding conduct in local populations.

Xue et al’s (2005) study of the internalising mental health problems experienced by urban American children aged between five and eleven years revealed that a substantial proportion of the variation in those problems was attributable to differences between neighbourhoods. The study attempted to control for the effects of socio-economic status and other variables that conceivably could influence the composition of the compared neighbourhoods. Informal social control and social cohesion were found to be closely associated suggesting an underlying factor of collective regulation and mutual trust, a social

pattern similar to the notion of 'collective efficacy' associated with the work of Sampson and colleagues (discussed below). The researchers found that collective efficacy was associated with better mental health in children. They argued that "high collective efficacy is a community-level process that is associated with reduced violent crime and disorder and has been shown to account for the association between neighbourhood disadvantage and high rates of violence and disorder...Collective efficacy appears to buffer (that is, help protect) young residents from these neighbourhood threats to well-being."

Education is a factor which has consistently been shown to be associated with health but community-level characteristics can exert a significant influence. Research by Browning and Cagney (2002) has shown that communal effects can override the generally robust influence of education on health. The researchers carefully controlled for a range of individual level factors known to correlate with self-rated physical health. By using measures of the prior health of residents and other means they attempted to ensure that the observed communal effects on health were a function of properties of neighbourhoods rather than individual level characteristics. On the social side they assessed people's willingness to help their neighbours generally and in times of sickness, their sense of mutual trust and 'closeness,' and their willingness to 'watch out' that children were safe and did not get into trouble.

The researchers found that the well-established relationship between education and health was sustained in areas with positive scores on the aforementioned items (neighbourhoods described as having high *collective efficacy*) but this effect largely disappeared in neighbourhoods with low collective efficacy. They concluded that: "The benefits for health, which have proved robust and substantial across a range of studies, are dependent upon social context. Deficits in neighbourhood collective efficacy wipe out the health returns to education." (p.395)

In the realm of criminality and delinquency it is not that 'ecological variables' like *poverty* and *disadvantage* can no longer be considered salient influences on the occurrence of crime. Quite the opposite but in addition to the influence of such variables account must be taken of area-level characteristics not reducible to the individual or household level (Krieger and collaborators, 2003). We will briefly show that there is a body of contemporary research illustrating area-level indicators of social environments which independently contribute to the occurrence of crime. The burden imposed by such environments is unlikely to be adequately addressed by individual or household-level measures or by the external provision of intended communal 'improvements.' The latter may be absorbed without affecting the continuing influence of the local social environment or the way an area operates. Hence, the theoretical and practice appeal of an approach that emphasises local social systems and interventions that are directed to strengthening aspects of community life that underpin a well-functioning social system.

A research theme that has come into particular prominence in recent times and which was touched upon in previous paragraphs is called *collective efficacy*. The term is associated with

the work of Robert Sampson and associates and in 1989 Sampson and Groves reported that aspects of social organisation, including high levels of local participation in organisations, the exercise of informal social control, the ability and willingness of residents to guide the behaviour of others towards pro-social norms, mutual support for children, and the density of local friendship networks, reduced levels of crime. Then in a longitudinal study of Chicago neighbourhoods Sampson and colleagues found that a combination of social cohesion, trust and a willingness to intervene for what was thought to be the common good (*collective efficacy*) was associated with reduced violence and delinquency (Sampson, Raudenbush and Earls, 1997).

The researchers took as their starting point the well reported association between socio-economic status and violence but went on to ask 'what are the social processes that might explain or mediate this relation?' They proposed that the capacity of residents to control group-level processes and signs of social disorder, as well as maintain resources and public services, acted as a brake on opportunities for interpersonal crime in a neighbourhood:

...Socially cohesive neighbourhoods will prove the most fertile contexts for the realisation of informal social control. In sum, it is the linkage of mutual trust and the willingness to intervene for the common good that defines the neighbourhood context of collective efficacy. (p. 918)

This statement summarises a powerful contemporary insight into crime prevention but like all such propositions it has its limitations.

A high proportion of criminal offences are attributable to delinquency among adolescents (Australian Institute of Criminology, 2009). Further evidence of the influence of neighbourhood level processes on crime was provided by a 1996 study that showed that the effects of neighbourhood disadvantage on the development of adolescents were largely mediated by the level and form of neighbourhood organisation (Elliott, Wilson, Huizinga, Sampson and Rankin, 1996). Research in neighbourhoods of Chicago and Denver was undertaken primarily to understand how youths growing up in disadvantaged neighbourhoods managed to complete a successful course of adolescent development in spite of economic and social adversity. It was postulated that the effect of factors like the rapid turn-over of population result in neighbourhoods with no effective institutional presence or support for conventional behaviour and a diminished capacity for informal social control.

The researchers found that the higher the level of neighbourhood disadvantage the lower the level of informal control. The researchers argued that the common mediating variable influencing adolescent development outcomes was informal control. "The higher the levels of informal control the higher the neighbourhood rates of pro-social competence and involvement with conventional friends, and the lower the neighbourhood rates of problem behaviour."

Sampson, Morenoff and Gannon-Rowley begin their seminal 2002 paper on “Assessing ‘Neighbourhood Effects’...” with a reminder that many earlier researches in the field have relied upon socio-demographic data “rather than the dynamic processes hypothesised to shape child and adolescent well-being.” (p.444) They declare the conceptual problem to be an enduring one but say that an increasing number of studies now focus on social processes across communities and neighbourhoods. Sampson et al’s review of the literature is especially helpful because it captures studies of problematic and health-related outcomes across forty methodologically sophisticated studies. The strongest evidence links neighbourhood processes to crime. Crime rates are related to neighbourhood ties and patterns of interaction, social cohesion and informal social control. They conclude that strong social ties may not be as important a positive influence as the shared expectation that neighbours will intervene to promote the best interests of the neighbourhood. Moreover, weak ties can be essential for establishing social resources such as job referrals.

However, Sampson and colleagues (2002) caution that concentrated poverty and structural characteristics still matter and that neighbourhood mechanisms are not produced in a vacuum. “Some social processes, particularly those related to the idea of collective efficacy, appear to emerge mainly in environments with a sufficient endowment of socioeconomic resources and residential stability.” (p.465)

The findings of the afore-mentioned research, as well as studies in Victoria (see *Dropping Off the Edge*, chapter 6), indicate the potential value of casting many of the activities undertaken by community services, as well as specific additional tailored activities, to building Well-functioning Communities, especially in cumulatively disadvantaged and high crime localities. That ambition implies the existence of a systematic framework that identifies the key dimensions of community functioning for this purpose, and the processes that underpin those dimensions. While much is currently said about justice reinvestment projects in Texas and other part of the US, the aspect of community strengthening has not been particularly coherently laid out.

The tool we have in mind is based on a long established tradition of sociological theorising and the findings of classical experimentation by Bales (1950), as well as Australian research. It comprises four important clusters of activity that, in combination and balance, underpin community wellbeing. Two of those clusters relate to the substance and style of decision-making (particularly in relation to the community’s goal setting) and resource generation and allocation. The other two relate to the inner state of the community, especially social cohesion, the containment of inevitable tensions, and the maintenance of collective motivation. In combination these points of reference enable the social ‘pulse’ of a community to be taken, communal strengths and limitations identified, and activities to be ordered and modified with an eye to the needs of the community *as a system in its own right*.



The community attributes in question relate to system qualities and capacities that can be strengthened by the processes that communities use to secure opportunities, remedy problems and promote well-being. The key community attributes are summarised under the following four headings:

*External pattern*

- (i) Substance and style of decision making
- (ii) Resource generation and allocation

*Internal pattern*

- (iii) Integration of people, groups and community organisations, and
- (iv) Maintaining direction, energy and motivation.

All four aspects of community functioning need to blend in the interests of effective and satisfying community life. It is customary to characterise the 'integration' and 'motivational' functions as the *internal* sub-system which binds and holds the component parts of the community together sufficiently to pursue and achieve its goals, and the 'leadership' and 'resource' functions as the *external* or task sub-system. However, the two sub-systems really need to be seen as connected by a semi-permeable membrane rather than being separate entities.

Indicators of the strengths and weaknesses of the components of each of the four broad dimensions have been specified. They have been used to formally assess at two points in time, an Australian community (Mildura) which is seriously endeavouring under Rural City Council leadership to implement justice reinvestment type principles, and has been so engaged for the past decade. To avoid extending an already long submission beyond reasonable limits we simply say that, if required, a summary of the detailed indicators and the way they have been incorporated within a survey instrument can be made available.

**Recommendation 3: The framework for justice reinvestment should explicitly focus on community level processes.**

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