



## The Principles

- In a free and democratic society the rule of law upholds justice by promoting the common good, safeguarding the rights of citizens and maintaining social stability.
- All persons can claim equality before the law, without fear of adverse discrimination on the basis of race, class, religious belief, gender, sexual orientation or national origin.
- In the pursuit of justice, these principles are safeguarded by those who make laws and those who administer them: politicians, judges, lawyers, police, and bureaucrats.
- The individual person's right to the protection of the law carries a corresponding obligation to respect the rights of others and the common good.
- Criminal law serves the common good best when its application is geared to promote the rehabilitation of law-breakers, not simply to punishment.

## The Issues

1. **The Crime Rate:** Types of crime that have increased slowly in NSW since 1970 are: street violence, domestic violence, child abuse, and drug crime. Due in part to dramatic media reporting and political responses to this, fear of crime has increased at a far greater rate than crime itself.
2. **Rates of Imprisonment** Over ten years the prison population in NSW gaols has increased greatly, contrary to a popular belief that the courts are too lenient. There has been an increase in the number of alleged offenders who are denied bail. Experience has shown also that street crime, for example, has not been reduced by threats of increased penalties. Legislation for harsher punishment, stricter laws and more police is a quick-fix

strategy which does nothing to address the complex social and economic causes of crime.

3. **Causes of Crime** The current crime rate coincides with structural changes in the economy, rising unemployment and local concentrations of poverty in the community. Other factors often associated with poverty and unemployment are drug abuse and domestic violence.
4. **Drugs and Alcohol** Abuse of drugs or alcohol is a major cause of crime. Initiatives to reduce dependence on either drugs or alcohol are urgently needed in any campaign to reduce the crime rate.
5. **White-Collar Crime** Because it is not violent, most white-collar crime receives little media or political attention. Fraud, money laundering and tax evasion are difficult to detect and prosecute, hence new prevention strategies are required to deal with these crimes.
6. **Unemployment and Street Crime** High unemployment rates and the widening gap between rich and poor impact heavily on ill-educated boys and young men, the group overwhelmingly responsible for street crime.
7. **Juvenile Crime** Risk factors identified as increasing the chances of youth drifting into crime include: poverty, parental drug abuse and neglect, social isolation, family violence. 80% of juveniles arrested and imprisoned re-offend. Prison achieves nothing for them.
8. **System Failure:** We are faced with a double failure of the present prison system: failure to reduce or prevent crime; and failure to rehabilitate prisoners as law-abiding citizens.

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## Your Voice Strengthens Our Voice



## **The Alternatives**

Strategies to reduce or prevent crime will succeed only if they are based on serious research and take into account the success or failure of what has already been tried.

Overseas research can be instructive but is not always applicable here. The NSW Bureau of Crime Statistics and Research has reliable data from which the State Government can develop effective policies. We believe that data supports the following recommendations.

Experience has already shown that alternatives to prison sentences can produce positive outcomes for offenders and are more cost-effective for the public purse.

1. Develop a whole-of-government approach to crime prevention across Government entities involved with education, employment, health, social welfare, corrective services by addressing the recognised social and economic causes of crime. The Bureau of Crime Statistics and Research (BOCSAR) has found that programs, which ensure young people complete high school and get meaningful employment are the most effective ways of reducing crime.
2. Develop a program of public education to remove popular misconceptions, keeping the community informed of the reasons for new policies and win support for them.
3. Change funding priorities to devote more resources to tried alternatives to imprisonment rather than build more prisons.
4. Throughout the prison system, establish well-resourced services for education and rehabilitation of prisoners as a permanent priority, to reduce re-offending.
5. To reduce drug-related crime, acknowledge the positive results of the Heroin Injecting Room at Kings Cross and take steps to ensure that this service continues and is replicated elsewhere as need arises.
6. Continue the operation of the NSW Drug Court, which can in appropriate cases suspend sentences while a person takes a drug treatment program. If completed successfully, the sentence is revoked. Evidence suggests that the Drug Court is more cost-effective in reducing crime than increased police numbers or tougher sentences.
7. To reduce alcohol-related crime, most prevalent in premises licensed for late or 24 hour trading, continue measures already being tried in some regions to place restrictions on late trading hours.
8. Adopt a more rigorous enforcement of existing laws governing the sale of alcohol to minors and intoxicated people.
9. Any significant impact on white-collar crime will require a coordinated campaign involving State and Federal Governments. To capitalise on the impact of deterrence in this crime category, give widespread publicity to successful prosecutions.
10. The nation's youth are the nation's future. The integrated policies suggested above should pay specific attention to young people at risk of adopting criminal behaviour. Youth Conferencing as an alternative to imprisonment has had good results. This strategy brings young offenders face to face with their victims to make restitution and receive support to help them avoid re-offending. The strategy has reduced re-offending and victims have been about 90% satisfied with the process and outcome. The cost involved is a fraction of the cost of keeping someone in prison.

### **For more Information**

[www.lawlink.nsw.gov.au/bocsar](http://www.lawlink.nsw.gov.au/bocsar)