

Integrating the Indefensible

Launch of CIJ Issues Paper at VACRO's End of Year Celebration

Monday, 11 December 2017.

Thanks Carol, it's fantastic to be here with VACRO this evening. Of course, I also want to acknowledge the traditional custodians of the land on which we meet, the people of the Kulin Nations, and pay my respects to their Elders, past and present.

Well, two decades into the 21st century, we still struggle to respond effectively to serious violent crime. Despite evidence that sending more people to prison for longer does not make us any safer, we fall back on costly approaches which serve to *entrench* crime.

Despite equally overwhelming evidence that investment in health, education and social supports does more to prevent crime than any deterrence measures, we continue to increase penalties. Similarly, despite evidence that investment in rehabilitation does more to prevent crime being repeated than longer sentences, we remain more comfortable in punitive terrain.

This is not entirely surprising. Few people want to ponder the motivations of brutal offenders. Nor do many want to think about what is needed to reform these offenders because to do so is complex, protracted and exhausting. It's far easier and simpler to think about them safely locked away – unable to commit further crime purely because they are in a custodial environment.

To add to the challenge, homicides committed by offenders who were either on bail, parole or on post-sentence supervision orders have fueled community anxiety that the criminal justice system is letting them down.

Certainly, few areas of policy are more contentious than criminal justice, because few areas work with so many unknowns or face such dire consequences upon failure. This has led successive governments to overhaul aspects of the criminal justice system in order to sharpen or toughen the response.

With the exception of a limited few, however, most offenders will return to the community. This means that, unless we lock more people away for longer and at exponential expense, we cannot wash our hands once someone is in the system and out of view.

Nor can we cross our fingers and hope that the limited supports our system provides will be sufficient for offenders to establish a life in the community upon release, to 're-integrate' when some may have never been established or 'integrated' in the first place.

Most significantly, we cannot expect government or the legal system to carry the entire burden. After all, it is in the community that an offender's criminal tendencies have developed, though they may be further honed while they are in custody.

This includes people who have ended up offending because society as a whole did not protect them from being offended *against* - the devastating trajectory of violence and abuse against one generation being visited upon the next.

It is also in the community that an offender might start to envisage a different way to live upon release, as the evidence clearly shows. It makes sense, therefore, that the community bear some responsibility for the work to reintegrate – or simply *integrate* – people who have been so firmly on the outside. The puzzle is then how to integrate damaged people who have caused so much damage themselves.

As unpalatable as it may seem, therefore, the Issues Paper that we launch this evening calls for a conversation about the role of the community in responding to serious violent crime. Of course, the CIJ is not alone in highlighting this responsibility, one which applies right across the board in terms of the factors which propel people into offending and keep them there.

This Issues Paper, however, asks what this obligation may look like at the pointy end – the responsibility to rehabilitate those who, as a community, we least want to embrace; the responsibility to integrate what some may see as the indefensible.

In doing so we explore a range of options – identifying the value of education; of offenders participating in activities for the betterment of others; of community members acting as circle of direct support and accountability for offenders; and of course, the value of work of agencies like VACRO who do the hard yards working with serious violent offenders once they are released and all on the vague aroma of an oily rag.

Keeping in mind the imminent establishment the Post Sentencing Authority, our Issues Paper also identifies the value of the criminal justice system and community sector working in partnership – a therapeutic alliance in which everyone is playing a part to rehabilitate and integrate those who may never have been integrated in society the first place.

There's no doubt in my mind that the Harper Review – and the government's subsequent reforms – will go a long way to developing a more integrated approach to managing and supervising some of the state's most serious offenders.

As the Review itself noted, however, the criminal justice system can only do so much. This means that the broader community has an equally important role – including by challenging and encouraging governments to support a more considered and *effective* response based on what the evidence reveals.

After all, justice policy development is infamous for ignoring the evidence. With the establishment of a new post-sentence regime we have an opportunity to embrace this evidence and to do so transparently in our approach to the most serious of Victoria's offenders.

While we still have much to learn about reforming violent offenders, one thing we do know is that wholesale community buy-in is a significant – but missing – piece of the equation.

What's more, as we learn more and more about the impacts of family violence, sexual abuse and other forms of trauma on children; about the links between poverty, vulnerability and offending; about the damage experienced by others who go on to cause damage themselves, this is also an opportunity to accept a collective responsibility for the failures which may well have propelled offenders into crime in the first place.

The question is, however, are we up to the task? VACRO believes we should be and I want to thank VACRO for allowing CIJ to share some of the research we conducted for this organisation at a broader level. I think it reflects VACRO's commitment to this issue.

Together, VACRO and CIJ invite a conversation about whether we are ready to start problem solving together, whether we can start integrating the indefensible, whether we can take shared responsibility for reforming seriously damaged people who have caused damage themselves – if only to prevent them from causing it again.