

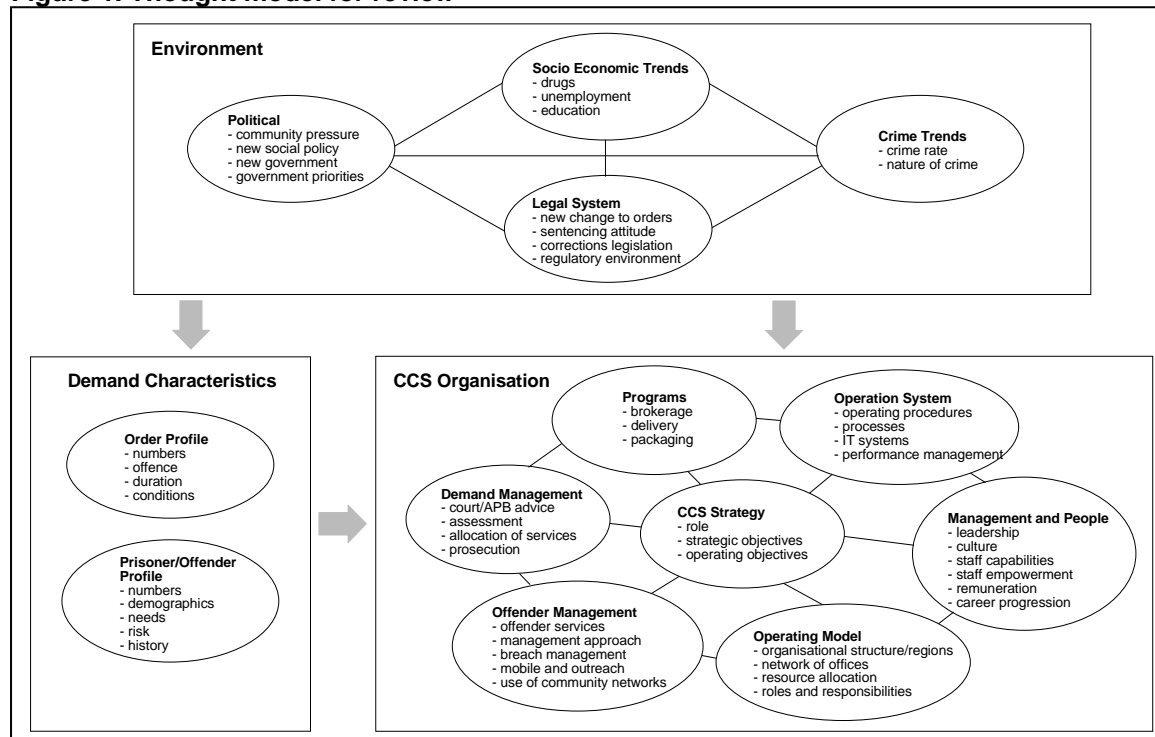
2. CONTEXT

The purpose of this chapter is to:

- Outline the drivers of changes in the prison and CCS population in Victoria
- Illustrate crime, sentencing, imprisonment and offender trends, and the offender/ prisoner profile
- Provide an overview of legislative changes in Victoria regarding sentencing, and
- Assess the role of CCS and corrections in this context.

The figure below depicts the “thought model” that guided the review.

Figure 1. Thought model for review



CCS operates within a complex system. Social, economic, political and legal factors, as well as general crime trends, influence offence, order and offender profiles. These profiles determine the demand for CCS services. Together with environmental factors, these factors determine the demand for CCS services, and directly and indirectly influence all elements of the organisation. CCS Strategy should be determined in the context of these forces.

2.1. Socio-Economic Changes

In terms of crime rates, Victoria is among the safest states in Australia and Australia is among the safer jurisdictions in the Western world (see Figures 2 and 3).

Figure 2. Victims of recorded crime per 100,000 persons (1999)¹⁷

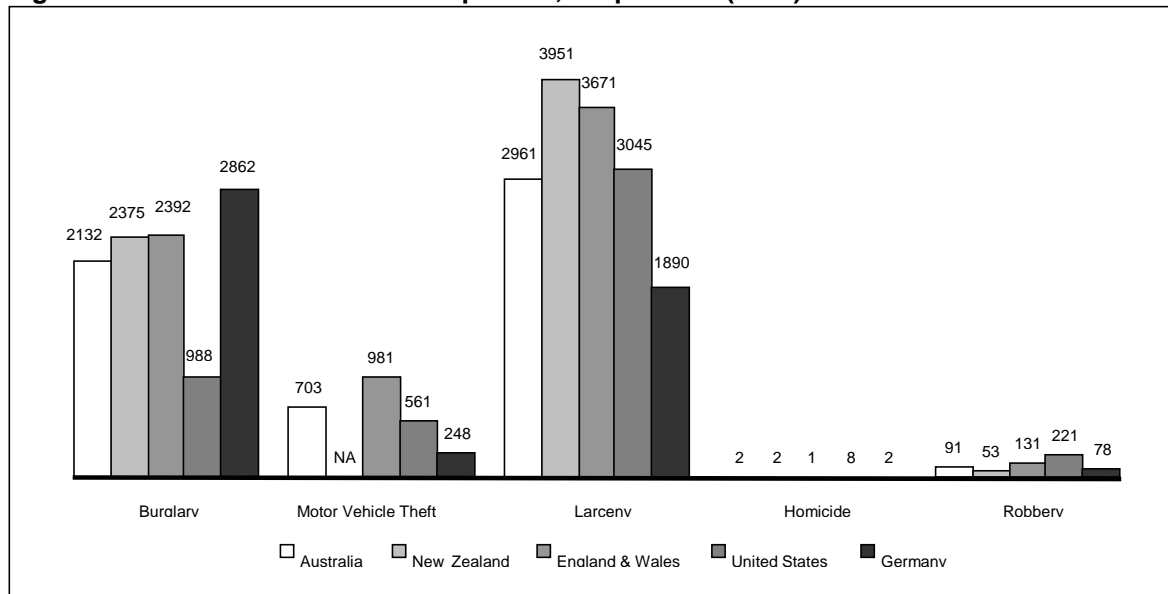
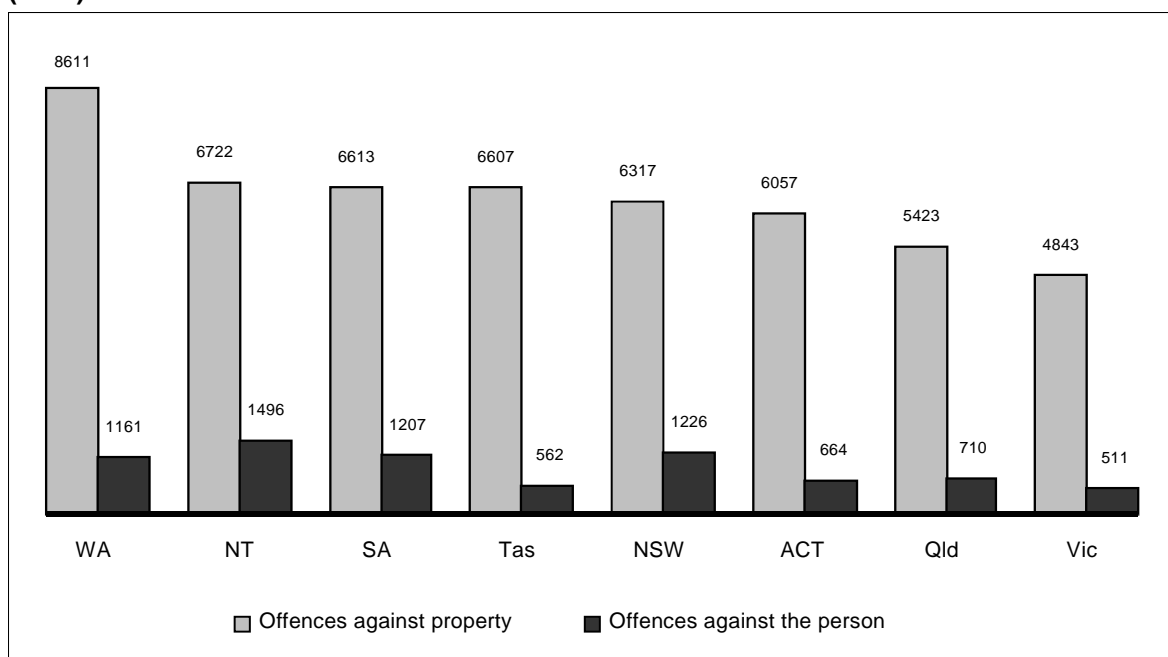


Figure 3. Crime rates, measured as the number of offences reported per 100,000 people (1995)¹⁸



¹⁷ Commonwealth of Australia (2000), *Report on Government Services, Volume 2: Justice, Emergency Management*, Steering Committee for the Review of Commonwealth/State Service Provision: Canberra

¹⁸ Australian Institute of Criminology (1997), *A Statistical Profile of Crime in Australia*, Australian Institute of Criminology: Canberra

Nonetheless, Victorian prison numbers, crime and imprisonment rates are rising (see Section 2.3). Crime rates rise (and fall) due to a complex confluence of social, economic and political factors within a society. These factors influence the government when developing and reviewing legislation, and creating and resourcing sentencing options. This section will outline some of the key social, economic and political variables that impact crime. The variables considered are:

- Drug use and addictions
- Education levels
- Unemployment and economic activity, and
- Punitive attitudes of the society.

This section does not provide a scientific criminological analysis of the impact of socio-economic change in crime. Its purpose is to provide an overview of the factors influencing changes in crime rates.

2.1.1. Drug Use and Addictions

Use of illicit drugs is recognised as the most significant contributor to the increase in crime in the last decade. As of 30 June 2000, 41% of the Victorian prison population stated that they had a drug problem at the time of entry to prison¹⁹. This figure has risen from 29% at 30 June 1996²⁰. Anecdotal evidence from magistrates suggests that at least 80% of offences are drug related²¹.

A range of statistics confirms that drug use has increased significantly in Victoria over the past decade. The Government's Drug Policy Expert Committee has revealed that the number of heroin related deaths grew from 49 in 1991 to 359 in 1999 and are expected to reach 496 in 2005²². Heroin is the fastest growing category of drug related arrests within Victoria, increasing by 63% from 1996/97 to 1997/98²³. Victoria made up over half of the nation's heroin related arrests during 1997/98²⁴. The average age of first time use of heroin was 21.5 years in 1998²⁵. Hard drugs such as heroin have a strong addictive quality that can dominate the user's lifestyle. This can result in some users turning to crime as a means of supporting their habit.

Apart from increasing crime, drug use has also changed the nature of crime. Some drug users resort to crimes, such as robberies and property related offences that deliver quick financial gains for the offender.

2.1.2. Education Levels

Although it cannot be said that a low level of education is a direct cause of crime, a large number of offenders sentenced to community-based orders and prison have not completed secondary education (Figures 4 and 5). The Victorian Secondary Education system has experienced a drop in the retention rate of students from Year 7 onwards from 81% in 1992 to 76% in 1999²⁶.

¹⁹ PIMS Data Warehouse

²⁰ Ibid

²¹ Derived from stakeholder conversations with Magistrates

²² Department of Justice (2000), *Submission to Drug Expert Committee*, Department of Justice: Melbourne

²³ Australian Bureau of Statistics (2000), *2000 Year Book Australia*, Australian Bureau of Statistics: Canberra

²⁴ Ibid

²⁵ Australian Bureau of Statistics (1999), *National Drug Strategy Household Survey*, Australian Bureau of Statistics: Canberra

²⁶ Australian Bureau of Statistics (2000), *2000 Victorian Year Book*, Australian Bureau of Statistics: Canberra

Figure 4. Highest level of education – prisoners < 12 month sentence (end of financial year)²⁷

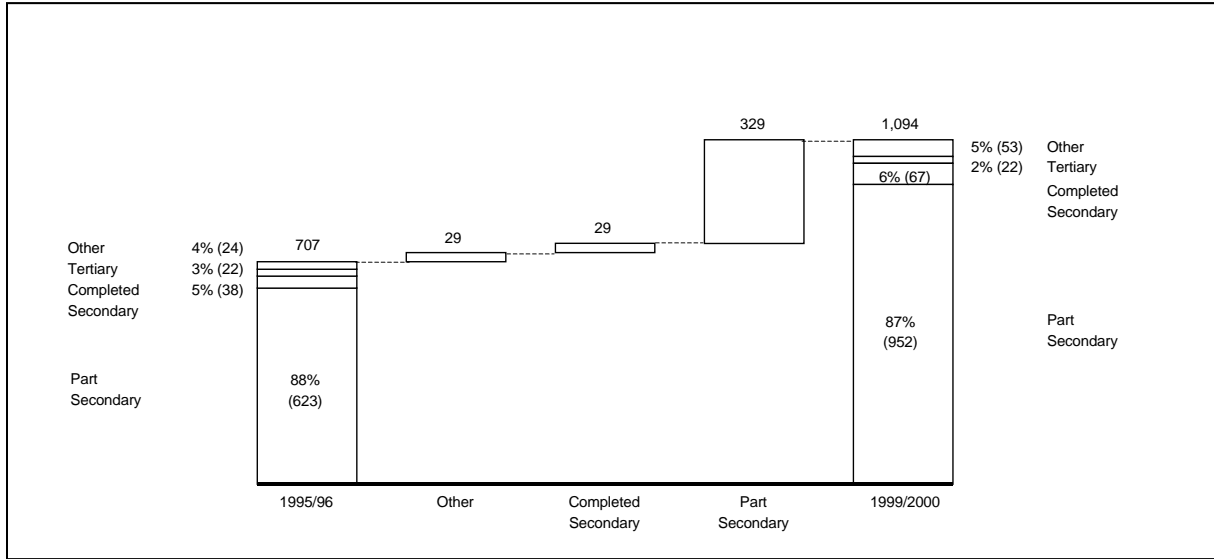
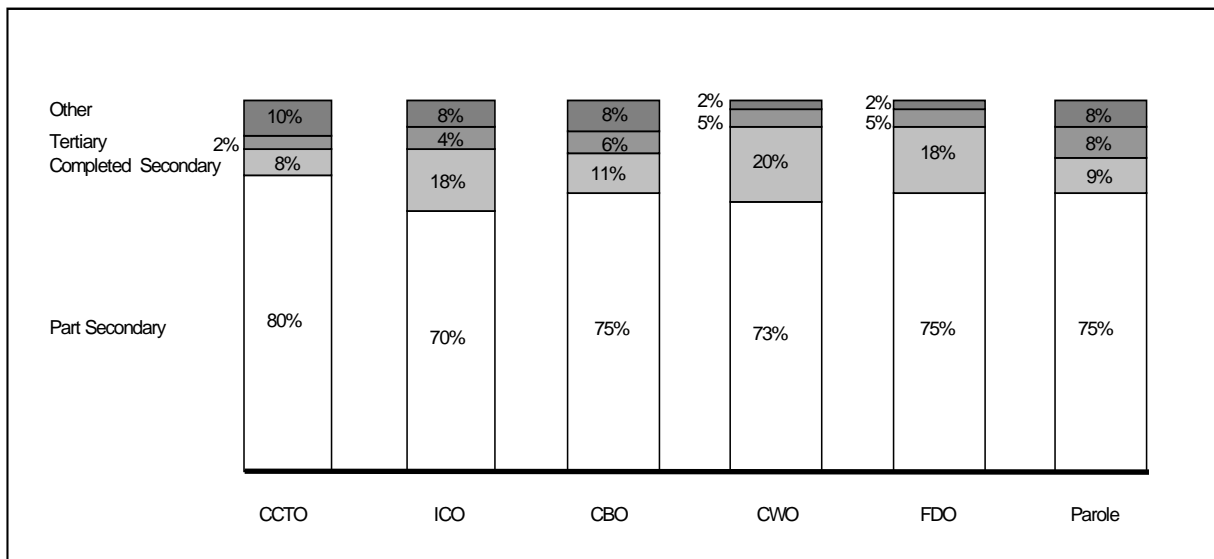


Figure 5. Highest level of education – offenders on community-based sentences (21 August 2000)²⁸



2.1.3. Unemployment and Economic Activity

The majority of offenders and prisoners in Victoria were unemployed at the time they commenced their most recent order, as shown in figures 6 and 7.

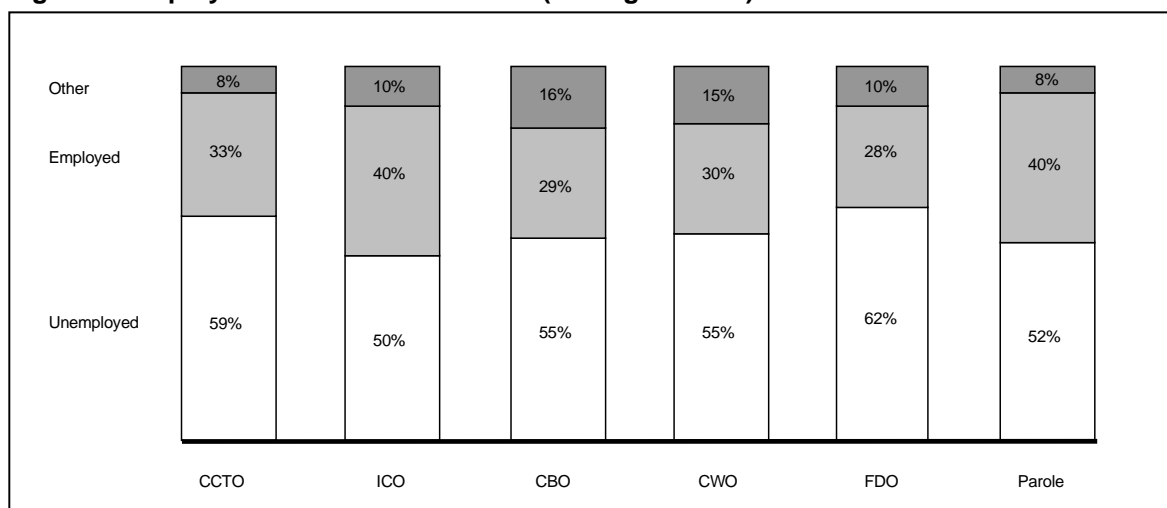
²⁷ PIMS Data Warehouse

²⁸ Sample population extracted from OASIS, September 2000

Figure 6. Employment status of prisoners with a sentence under 12 months (end of financial year)²⁹



Figure 7. Employment status of offenders (21 August 2000)³⁰



Unemployment within Victoria is particularly high for young people. The unemployment rate in August 1999 for the 15-19 year age group was 17.1% compared to the 7.1% national average³¹. Of people unemployed for 52 weeks or more, 22% were in the 15-24 year age group³².

2.1.4. Punitive Attitudes

Research in UK, USA and Australia suggests that most people think crime is rising, sentences are too “soft” and correctional systems are not tough enough³³. Government policy in this area is easily susceptible to populism. Despite all the statistics that show that Victoria is the safest state in Australia, the fear of crime remains high and demands for tougher punishment are frequent in the

²⁹ PIMS Data Warehouse

³⁰ Sample population extracted from OASIS, September 2000

³¹ Australian Bureau of Statistics (2000), *2000 Victorian Year Book*, Australian Bureau of Statistics: Canberra

³² Ibid

³³ Freiberg, A. and Ross, S. (1999), *Sentencing Reform and Penal Change – The Victorian Experience*, The Federation Press: Sydney

media. Research by John Walker suggests that conservative governments and one-off high profile cases have a strong correlation with an increase in imprisonment rates in Australia.³⁴

As outlined above, several factors contribute to crime levels. The Government's response to socio-economic changes and their impact on crime has, amongst other things, resulted in changing legislation and sentencing attitudes. The next section examines these legislative changes in Victoria.

2.2. Legislative Response in Victoria

Victoria has responded to the socio-economic changes, changes in crime rates and the changed needs of offenders by increased spending on policing and creating additional sentencing options. It has also piloted programs to deal with offenders through early diversion and rehabilitation.

The history of changes in corrections and sentencing to crime has been as follows:

Table 1. Legislative changes in community corrections in Victoria

Legislation	Reasons for Introduction	Initiatives/Impact
<i>Penal Reform Act 1956</i>	<ul style="list-style-type: none"> • Provide more options for offenders other than imprisonment • Recognise the need for probation 	<ul style="list-style-type: none"> • Dissolved the Indeterminate Sentences Board • Introduced the adult probation system and parole system • Established the Adult Parole Board • Habitual criminal legislation provided for preventive detention for certain repeat offenders aged over 21 years
<i>Social Welfare (Amendment) Act 1975</i>	<ul style="list-style-type: none"> • Prison riots in early 1970's • Movement towards rehabilitation and diversion • First welfare staff in prisons 	<ul style="list-style-type: none"> • Introduced Community-based Corrections • Introduced legislation for periodic detention centres, weekend imprisonment and work release program • Renamed Periodic Detention Centres, which had never been proclaimed, to Attendance Centres. The first three were established in 1976. Attendance Sentence Orders required offenders to attend Centres for a specified number of hours each week, to undertake programs and community work
<i>Penalties and Sentences Act 1981</i>	<ul style="list-style-type: none"> • Consolidation of many disparate pieces of legislation 	<ul style="list-style-type: none"> • Established Community Service Order • Program involved offenders undertaking community work, as both punishment and reparation • Trial program began, but only 40 offenders involved by 1984
<i>Community Welfare Services (Pre-Release Program) Act 1983</i>	<ul style="list-style-type: none"> • Reduction of prison over-crowding 	<ul style="list-style-type: none"> • Enabled selected long term prisoners to be released into the community up to 6 months before the expiration of their minimum, or non-parole period
<i>Community Welfare Services (Director General of Corrections) Act 1983</i>	<ul style="list-style-type: none"> • Separation of corrections from the welfare stream 	<ul style="list-style-type: none"> • Established Office of Corrections under a Director General

³⁴ Ibid

Legislation	Reasons for Introduction	Initiatives/Impact
<i>Penalties and Sentences Act 1985</i>	<ul style="list-style-type: none"> • Streamlining of legislation • Diversion from prison 	<p>Replaced earlier experimental orders with more meaningful attempts to achieve the aims of the <i>Sentencing Act</i>:</p> <ul style="list-style-type: none"> • Consolidated sentencing legislation into one Act • Introduced Suspended Sentences • Replaced Community Service Orders, Attendance Centre Orders and Probation Orders with CBOs
<i>Corrections Act 1986</i>	<ul style="list-style-type: none"> • Recognition that the Office of Corrections be established as a corrections organisation in its own right, distinct from the welfare system 	<ul style="list-style-type: none"> • Established the Office of Corrections • Established the Prisons and Community-based Corrections Divisions • Re-established Adult Parole Board
<i>Revised Penalties and Sentences Bill 1989</i>	<ul style="list-style-type: none"> • Concern about executive modifications of sentences • Public demands for “truth in sentencing” • Public demands for sentencing consistency 	<p>Combined most of the recommendations of the Starke Sentencing Alternatives Committee and the Costigan Sentencing Taskforce. Recommendations included:</p> <ul style="list-style-type: none"> • Establishment of a Judicial Studies Board • Further research into sentencing • Rationalisation of statutory maximum penalties • Changes in the form of statutory maxima
<i>Penalties and Sentences Bill 1989</i> reintroduced as the <i>Sentencing Bill 1991</i>	<ul style="list-style-type: none"> • Followed “law and order” election campaign • Consolidated public demands for “truth in sentencing” • Created more sentencing options for judiciary 	<ul style="list-style-type: none"> • Revised the structure of statutory maximum penalties • Abolished executive modification of sentences, such as remissions and pre-release • Created the Intensive Correction Order • Revised provisions relating to Community-based Orders, Suspended Sentences, fines and fine default • Rationalised and simplified dismissals, discharges and adjournments • Brought all the sentencing provisions into the one Act
<i>Corrections (Remissions) Act 1991</i>	<ul style="list-style-type: none"> • Ongoing public pressure for “truth in sentencing” 	<ul style="list-style-type: none"> • Abolished all forms of remission and pre-release programs
<i>Sentencing (Amendments) Act 1993</i>	<ul style="list-style-type: none"> • Concern about adequacy of custodial sentences imposed upon violent and sex offenders 	<ul style="list-style-type: none"> • Closed some loopholes and made minor modifications to the primary Act
<i>Corrections Act (Amendment) 1994</i>	<ul style="list-style-type: none"> • Entrance of competition into the corrections industry in Victoria 	<ul style="list-style-type: none"> • Established Office of the Correctional Services Commissioner

Legislation	Reasons for Introduction	Initiatives/Impact
<i>Sentencing and other Acts (Amendment) Act 1997</i>	<ul style="list-style-type: none"> • Sentencing survey in Herald Sun • Community consultations by Community Council Against Violence • Was a reaction to the abolition of Sec.28 (Drug Dependent Persons Act) and an attempt to deal with escalating drug problem 	<ul style="list-style-type: none"> • Combined Custody and Treatment Order introduced • Introduced new breaching provisions • Established changes in penalties for certain offences • Strengthened requirement for prison if Suspended Sentence breached • Extended serious offender category to include arsonists and drug offenders
<i>Sentencing (Amendment) Act 1999</i>	<ul style="list-style-type: none"> • Deferred sentencing introduced for young offenders (17-25 years) • Deferred sentencing introduced for breach of ICO/CBO/CCTO by young offenders • Enabled greater flexibility to enable magistrates to shorten duration of intensive reporting and treatment conditions attached to an ICO • Enabled interstate criminal record checks following breach of any order type • Required treatment during prison period of a CCTO • Permits alcohol and drug testing during CCTO sentence • Enables application to court to vary or cancel a CCTO if change in circumstance 	<ul style="list-style-type: none"> • Deferred sentencing had minimal impact, but magistrates have used other legislation to achieve same purpose for many years. • ICO/CBO/CCTO changes have had minimal impact to date but has potential • Other changes have had minimal impact to date

The *Sentencing Act* 1991 (Vic) governs sentencing in Victoria. It sets out the purposes of sentencing generally, some factors to which the courts must have regard, the sanctions available to the courts and, in some cases, indications of when these sanctions are most appropriately used. Future reform of Community Correctional Services must be reflected within this legislative framework.

The Act indicates that there is a hierarchy of sentencing orders applicable to offenders. Non-custodial sanctions are preferred over custodial sanctions, community-based orders are to be used in preference to intensive correction orders and fines are to be used in preference to community-based orders. However, it is a requirement of the Act that these sentences should only be used if they will achieve the sentencer's objectives. The overriding principle is that of parsimony: "a sentencer is not to impose a sentence that is more severe than that which is necessary to achieve the purpose or purposes for which the sentence is imposed".

The hierarchy of sentences, in order of increasing severity, is as follows:

- Deferred Sentencing /Case dismissed/ Caution
- Bond
- Fine
- Community-based Order (fine default) (FDO)
- Community-based Order (community work only) (CBOCWO)
- Community-based Order (with conditions) (CBO)
- Intensive Corrections Order (ICO)
- Combined Custody and Treatment Order (CCTO)
- Suspended Sentence
- Imprisonment

2.3. Crime and Prisoner/Offender Trends

The drivers that impact crime and incarceration have been outlined in the previous two sections. In this section, we will illustrate Australian and Victorian trends in:

- Crime
- Sentencing
- Prison population, and
- CCS population.

2.3.1. Crime Trends

There has been a rise in many offence types in Australia over the last 4 years³⁵:

- Kidnapping/abduction (from 2.5 to 3.5 victims per 100,000 persons)
- Armed robbery (from 29.1 to 57.9 per 100,000 persons)
- Unarmed robbery (from 51.5 to 69.0 per 100,000 persons), and
- Other theft (from 2715 to 3015 victims per 100,000 persons).

In 1998, there were 173,250 reported victims of crimes against the person (or 922 victims per 100,000 persons) in Australia. The number of victims per 100,000 varied across jurisdictions, from 511 in Victoria to 1,496 in the Northern Territory. There were 1,132,456 victims of crimes against property (or 6,040 per 100,000 persons) in Australia. Victoria recorded the lowest rate of 4,843, and Western Australia recorded the highest rate of 8,611. However, this data understates the true level of crime as not all offences are reported to, or become known by, police. The data also excludes certain offences (eg. drug offences) where comparability between states is difficult³⁶. During 1997/98, a total of 16,175 arrests for drug-related offences were made in Victoria. The largest category was cannabis (56%), however, the fastest growing category was heroin-related

³⁵ Commonwealth of Australia (2000), *Report on Government Services, Volume 2: Justice, Emergency Management*, Steering Committee for the Review of Commonwealth/State Service Provision: Canberra

³⁶ Australian Bureau of Statistics (2000), *2000 Victorian Year Book*, Australian Bureau of Statistics: Canberra

arrests, increasing by 63% from 1996/97. Of all the heroin-related arrests made in Australia in 1997/98, over 50% of the arrests were made in Victoria³⁷.

The criminal environment in Victoria is characterised by low crime rates compared with the rest of the country³⁸. However, crime in Victoria has steadily risen over the last 6 years.

There have been increases in the victimisation rates for most offences between 1993 and 1999 in Victoria. These offences include³⁹:

- Kidnapping/abduction (from 1.5 to 2.6 victims per 100,000 persons)
- Armed robbery (from 21 to 40 victims per 100,000 persons)
- Unarmed robbery (from 21 to 32 victims per 100,000 persons)
- Motor vehicle theft (from 613 to 681 victims per 100,000 persons), and
- Other theft (from 2,472 and 2,835 victims per 100,000 persons between 1995 and 1999).

Homicide offences and assault rates have remained relatively stable during this period.

Despite the social and economic changes outlined above and the associated consequences on the crime rates and the criminal justice system, Victoria has performed well.

Victoria has the lowest proportions of both household and personal crime victims compared with other States and Territories⁴⁰. The only exception is blackmail and extortion, with Victoria recording a rate of 1.66 per 100,000 persons, 23% above the national average.

Table 2. Victims per 100,000 --- rounded (1999)⁴¹

	Serious Offences Against the Person ⁴²	Assault	Sexual Assault	Kidnap/ Abduction	Robbery	Unlawful Entry With Intent	Motor Vehicle Theft	Other Theft
Victoria	4	358	60	3	72	1,619	681	2,835
Australia	5	705	74	4	119	2,192	685	3,218
% Below National Average	30%	49%	20%	37%	39%	26%	1%	12%

The continued growth in crime rates indicates that a concerted effort is needed by the Government to prevent crime by addressing the causes of crime.

³⁷ Ibid

³⁸ Freiberg, A. and Ross, S. (1999), *Sentencing Reform and Penal Change – The Victorian Experience*, The Federation Press: Sydney

³⁹ Australian Bureau of Statistics (1999), *Recorded Crime*, Australian Bureau of Statistics: Canberra

⁴⁰ Australian Bureau of Statistics (1998), *Crime and Safety*, Australian Bureau of Statistics: Canberra

⁴¹ Australian Bureau of Statistics (1999), *Recorded Crime*, Australian Bureau of Statistics: Canberra

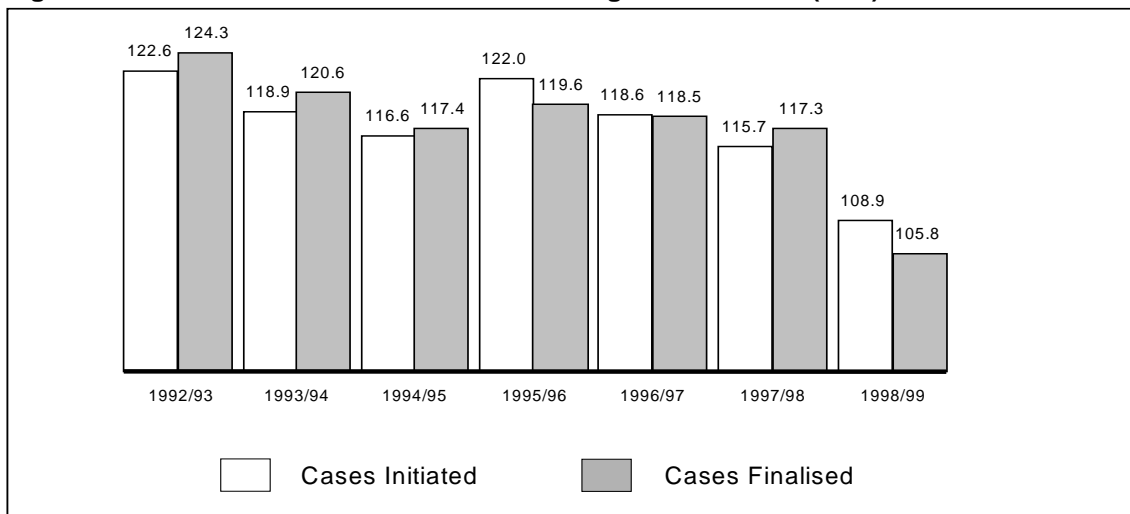
⁴² Murder, attempted murder, manslaughter, driving causing death

2.3.2. Sentencing Trends

The level of crime would seem to provide the most obvious explanation for the level of imprisonment. However, the relationship between crime rates and sentencing patterns is a complex one. Around 95% of all crimes reported to police are property crimes. Most of these are relatively minor and are unlikely to result in an offender being charged. Serious offences such as murder and rape have relatively high charge rates and almost invariably result in the defendant's imprisonment⁴³.

Over the last 8 years, Victoria has seen a paradox between crime rates and court cases initiated. While crime rates in Victoria have risen, the number of cases initiated and finalised in the Magistrates Court in Victoria has declined by 8% and 12% respectively since 1992/93, as illustrated in Figure 8⁴⁴. The conviction rate of these cases has largely remained stable at 80%⁴⁵.

Figure 8. Cases initiated and finalised in the Magistrates' Court ('000)⁴⁶



⁴³ Freiberg and Ross (1999), *Sentencing Reform and Penal Change --- The Victorian Experience*, p. 52

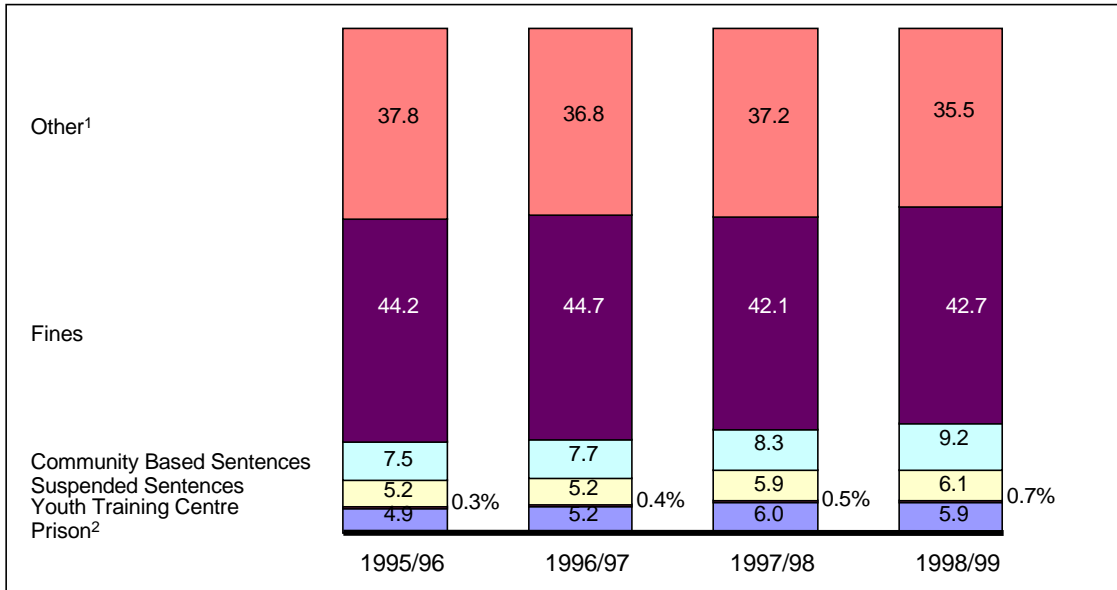
⁴⁴ Statistics of the Magistrates' Court of Victoria 1998/99, Department of Justice; Arthur Andersen analysis

⁴⁵ Ibid

⁴⁶ Statistics of the Magistrates' Court of Victoria 1998/99, Department of Justice

Despite the fall in the number of convicted offenders, a higher proportion of convicted offenders is being given custodial and community-based sanctions (see Figure 9)⁴⁷.

Figure 9. Offenders by sentence type for principal offence⁴⁸ (%)



Note: 1 Includes licence cancellation, adjournment undertakings, bonds and discharges

2 Includes partially suspended sentences

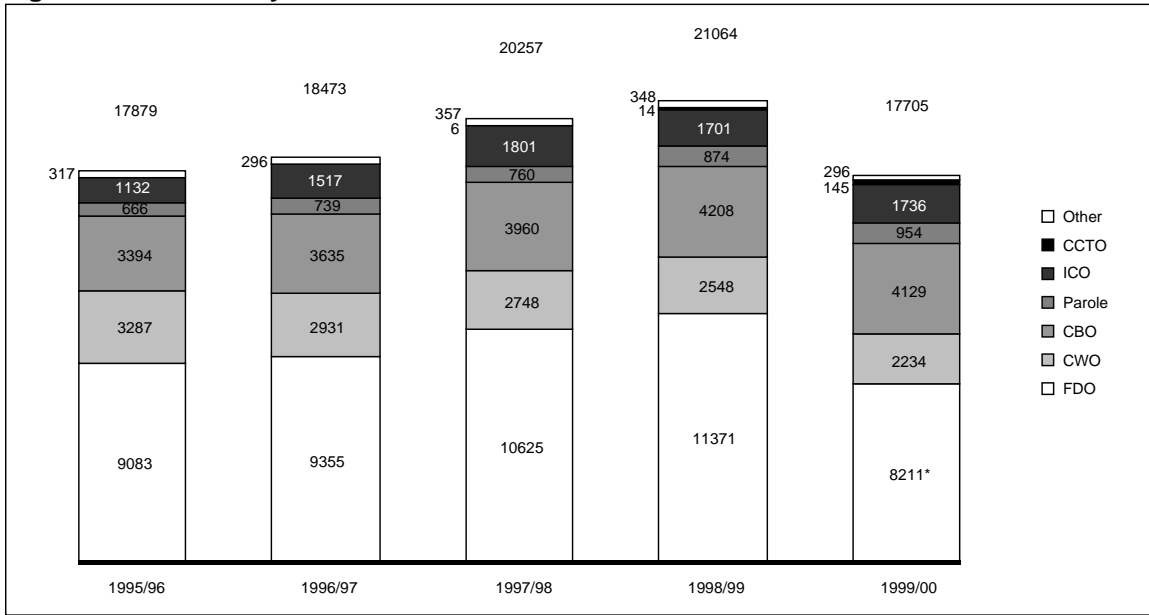
This has resulted in higher absolute number of offenders receiving both imprisonment and CCS orders (see Figures 10 and 11)⁴⁹.

⁴⁷ Ibid

⁴⁸ Statistics of the Magistrates' Court of Victoria 1998/99, Department of Justice

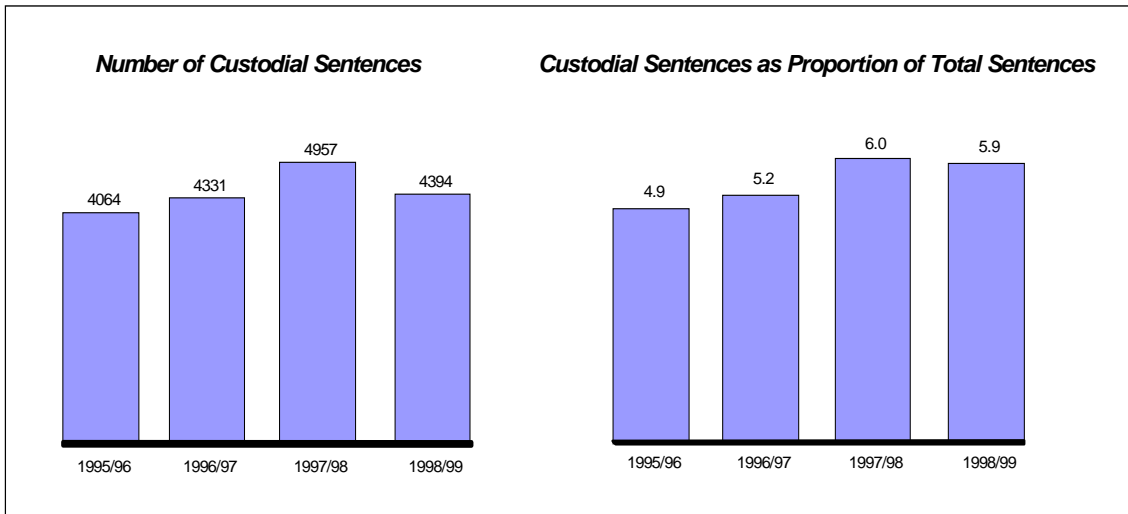
⁴⁹ Ibid

Figure 10. Community-based sentences commenced⁵⁰



* The number of FDOs in 1999/00 may possibly be understated due to a malfunction with the PERIN Court's systems which prevented a number of FDOs being processed as at the date this report was prepared.

Figure 11. Prison numbers and the proportion of custodial sentences⁵¹



Custodial sentences have increased from 4.9% to 5.9% between 1995/96 and 1998/99⁵². The absolute number of defendants sentenced to imprisonment has grown from 4332 to 4881⁵³. The rise in custodial sentences has largely been due to offences against property (11.3% to 14.0%) and drug offences (4.2% to 10.4%)⁵⁴. Many property offences are drug related.

⁵⁰ OASIS Data Warehouse

⁵¹ Statistics of the Magistrates' Court of Victoria 1998/99, Department of Justice

⁵² Ibid

⁵³ Ibid

⁵⁴ Ibid

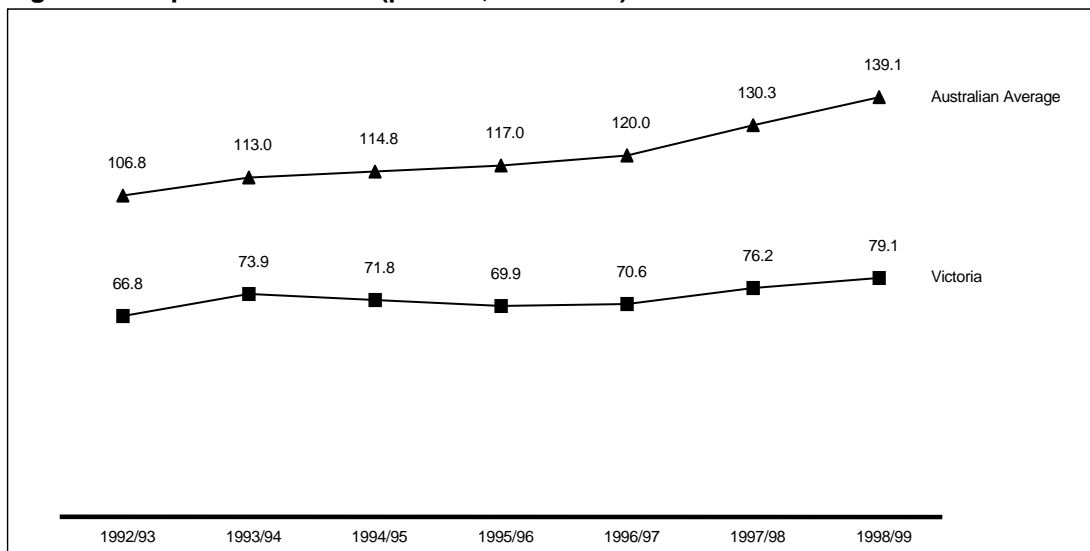
The proportion of community-based sentences handed down by the Magistrates Court has grown from 7.5% in 1995/96 to 9.2% in 1998/99⁵⁵. This has resulted in an increase of community-based orders from 17,879 to 21,064⁵⁶.

2.3.3. Prison Population

The Australian prisoner population increased by 75% from 12,321 in 1988 to 21,538 in 1999. All states and territories recorded increases in prisoner numbers. The increase in the states and territories varied significantly, ranging from 98% in Queensland to 16% in Tasmania⁵⁷. The variability in imprisonment rates across jurisdictions is quite wide, ranging from 70.5 per 100,000 adults in the ACT to 462.3 per 100,000 adults in the NT in 1998/99, with a national average of 139.1 per 100,000 adults. There is a clear distinction between the imprisonment rate of male and female offenders, with the national male imprisonment rate at 265.6 per 100,000 adults in 1998/99 compared with 16.2 per 100,000 adults for females⁵⁸.

Victorian imprisonment rates are among the lowest in Australia, as illustrated in Figure 2. In 1998/99, Victoria's imprisonment rate of 79.1 per 100,000 adults was far below the Australian average. However, Victoria's growth in imprisonment rates from 1994 to 1998 was higher than New South Wales, Western Australia and South Australia⁵⁹. Queensland and Northern Territory both recorded higher growth rates than Victoria, possibly attributable to the higher growth of indigenous imprisonment rates in those states.

Figure 12. Imprisonment rate (per 100,000 adults)⁶⁰



Despite the fall in relative prisoner population, Victoria has seen increasing growth rates of prisoner numbers over the last few years. Prisoner numbers have grown annually at 6.5% compound since 1995/96. Sentences of less than 2 years have contributed 70% of this growth where sentences of less than 12 months constitute the fastest growing segment (11.5% compound annual growth since 1995/96).

⁵⁵ Ibid

⁵⁶ Ibid

⁵⁷ National Corrective Services Statistics Unit (2000), *Prisoners in Australia 1999*, Australian Bureau of Statistics: Canberra.

⁵⁸ Commonwealth of Australia (2000), *Report on Government Services, Volume 2: Justice, Emergency Management*, Steering Committee for the Review of Commonwealth/State Service Provision: Canberra

⁵⁹ Ibid

⁶⁰ Ibid, Based on daily average prisoner populations

Figure 13. Compound annual growth in prison population by sentence duration (from 30 June 1996 to 30 June 2000)⁶¹

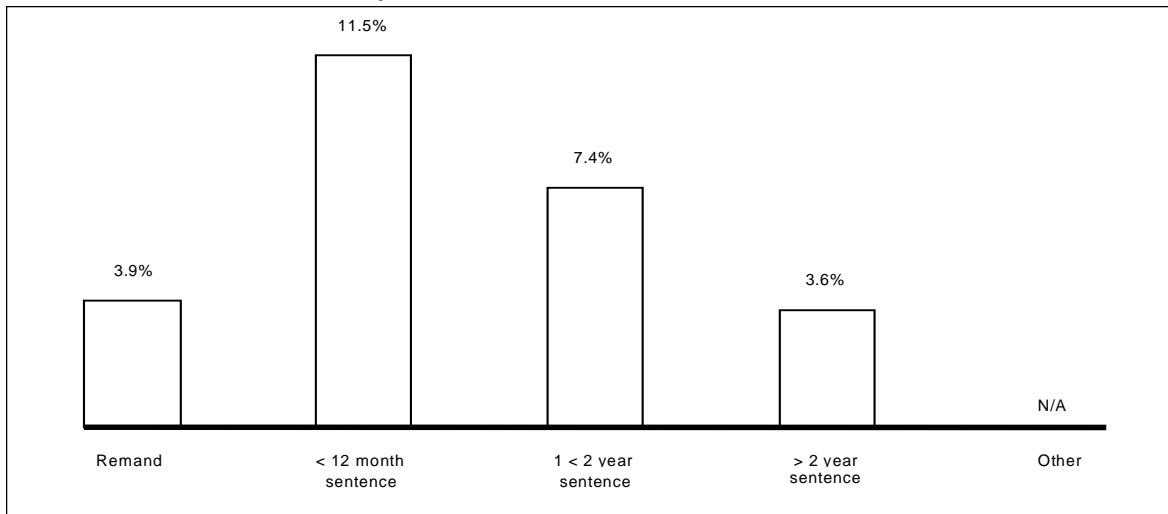
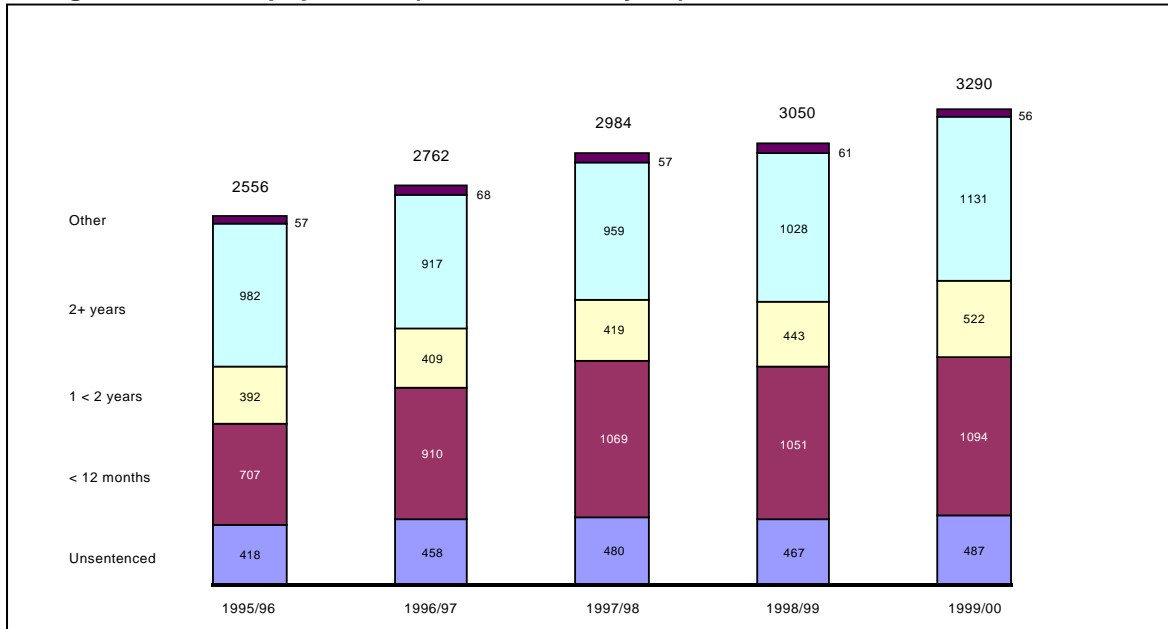


Figure 14. Prison population (end of financial year)⁶²



Note: The analysis of prisoners includes sentenced prisoners, and persons held on remand, in police custody and mental health facilities.

The growth in prisoners with sentences of less than 12 months is mainly due to significant rises in both offences against good order and offences against property as the most serious offence.

Offences against good order are comprised primarily of justice procedure offences, which includes breaches of parole, suspended sentence and ICO. At 30 June 2000, 24% of prisoners with sentences less than 12 months committed a justice procedure offence as their most serious offence. This proportion has increased from 15% in 1996. As a proportion of total justice procedure offences in 2000:

- Breach of ICO has risen from 7% to 19%, and

⁶¹ PIMS Data Warehouse

⁶² PIMS Data Warehouse; Figures include sentenced prisoners, and persons held on remand, in police custody and mental health facilities.

- Breach of Parole has risen from 19% to 27% since 1996.

The proportion of females with sentences less than 12 months has remained stable at 8% since 1996. This is higher than the proportion of total female prisoners relative to total prisoners of 6%, indicating that females receive sentences of shorter duration, possibly as a result of less severe offences. The proportion of indigenous prisoners with sentences less than 12 months has remained at 5%, slightly higher than the proportion of indigenous prisoners to the total prisoner population of 4%.

There has been an increase in first time prisoners with sentences less than 12 months. 32% of prisoners with sentences less than 12 months at 30 June 2000 had no prior imprisonment. This number increased from 28% in 1996.

The majority of prisoners with sentences of less than 12 months have little education and are currently unemployed. At 30 June 2000, 87% had completed part secondary school as their highest level of education, with only 2% having undertaken tertiary studies. 69% indicated that they were unemployed.

2.3.3.1. Drug Influence or Support

The level of drug usage and dependence has been a key driver of the increase in crime. 41% of all prisoners at 30 June 2000 committed a crime while either under the influence of drugs or to support a drug addiction⁶³. This proportion has grown from 29% since 1996.

47% of prisoners who committed offences while under the influence of drugs or to support a drug addiction received sentences of less than 12 months. This represents 58% of all prisoners with sentences less than 12 months at 30 June 2000, having grown from 42% at 30 June 1996.

The most serious offences committed by these prisoners were offences against property (35%) and robbery and extortion (20%) as at 30 June 2000. The proportion of robbery and extortion rose from 16% in 1996, whereas the proportion of offences against the person fell from 20% to 14%.

Generally, there has been no change in the proportion of female and indigenous prisoners who committed an offence while under the influence of drugs or to support a drug addiction from 1996 to 2000.

The majority of drug influenced prisoners have minimal education, with 90% having completed only part of their secondary school education and 2% having undertaken tertiary studies.

As at 30 June 2000, 74% of these prisoners indicated that they were unemployed. This figure having risen from 70% at 30 June 1996.

2.3.3.2. Young Prisoners

At 30 June 2000, 21% of all prisoners were aged under 25, rising from 18% at 30 June 1996.

The most serious offences committed by young prisoners were:

- Offences against property (falling from 41% in 1996 to 36% in 2000)
- Offences against the person (falling from 22% in 1996 to 16% in 2000)
- Robbery and extortion (rising from 12% in 1996 to 16% in 2000)
- Offences against good order (rising from 13% in 1996 to 15% in 2000) and
- Drug offences (rising from 5% in 1996 to 10% in 2000).

50% of young prisoners received sentences of less than 12 months, constituting 32% of all prisoners with sentences of less than 12 months.

⁶³Generally self reported at the time of reception

There has been a significant rise in drug related crimes by young prisoners. At 30 June 2000, 64% of young prisoners indicated that they committed an offence while under the influence of drugs or to support a drug addiction. This proportion has increased from 45% in 1996.

The proportion of young prisoners without prior imprisonment has risen from 32% in 1996 to 42% at 30 June 2000.

Young prisoners generally have poor levels of education (88% having not completed secondary school education), and high rates of unemployment (78% unemployed).

2.3.3.3. Female Prisoners

Female prison numbers have grown by 9.2% compound annual growth rate (CAGR) but have remained consistently at around 6% of the total prison population since 1995/96. The most common offence types committed by women at 30 June 2000 included:

- Offences against property (falling from 42% in 1996 to 28% in 2000)
- Offences against the person (rising from 19% in 1996 to 23% in 2000)
- Robbery & extortion (rising from 6% in 1996 to 19% in 2000) and
- Drug offences (rising from 14% in 1996 to 16% in 2000).

43% of female prisoners received sentences of less than 12 months.

50% of female prisoners at 30 June 2000 indicated that they committed an offence either while under the influence or to support a drug addiction. This figure has risen from 37% in 1996.

43% of female prisoners at 30 June 2000 had no prior imprisonment, a slight rise from 40% in 1996.

26% of female prisoners at 30 June 2000 were under the age of 25, having risen from 17% in 1996.

The proportion of indigenous female prisoners doubled from 1996. At 30 June 2000, 8% of the female prison population were indigenous, as opposed to 4% in 1996.

Most female prisoners have poor levels of education (75% part secondary) and high rates of unemployment (75%).

2.3.3.4. People Held on Remand

Although the number of people held on remand increased by 17%, the proportion of remandees has remained relatively constant since 1996. At 30 June 2000, 15% of people in custody were remandees, compared to 16% at 30 June 1996.

At 30 June 2000, remandees were most commonly charged with:

- Offences against the person (rising from 30% in 1996 to 31% in 2000)
- Robbery & extortion (rising from 15% in 1996 to 22% in 2000)
- Offences against property (falling from 32% in 1996 to 22% in 2000) and
- Drug offences (falling from 19% in 1996 to 18% in 2000).

The number of female remandees rose by 50% (from 30 to 45) increasing their relative proportion from 7% at 30 June 1996 to 9% at 30 June 2000.

Young remandees, aged under 25, constituted 27% of the total people on remand. This is a similar figure to 1996.

There has been a significant rise in the number of people held on remand with no prior imprisonment. At 30 June 2000, 46% of remandees had no prior imprisonment, as opposed to 37% in 1996.

Of the remandees at 30 June 2000:

- 59% had a violent charge (rising from 51% in 1996)
- 6% had a sex charge (falling from 7% in 1996) and
- 7% were indigenous (rising from 4% in 1996).

2.3.3.5. Prisoners' History

26% of prisoners as at 30 June 2000 had no history of imprisonment or CCS orders. This figure remained unchanged from 1996. At 30 June 2000, 60% of prisoners had a history of imprisonment, and possibly prior CCS orders, whereas 14% of prisoners had a history of CCS orders only (and no prior imprisonment) prior to the current sentence.

Of the prisoners with no history in the correction system, as at 30 June 2000, 53% had sentences greater than 2 years, possibly indicating more serious crimes. This is compared with 18% for prisoners with a history of CCS orders only and 30% for prisoners with a history of imprisonment.

58% of first time offenders committed offences against the person, compared with 26% and 23% for prisoners with a history of CCS orders and prisoners with a history of imprisonment respectively. In addition to offences against the person, prisoners with a history in the correction system were more likely to commit offences against property (around 30%) and robbery & extortion (around 15%).

Of the prisoners at 30 June 2000 who served a CCS order immediately prior to the current prison sentence:

- 32% served a CBO
- 28% served a FDO
- 22% served an ICO and
- 10% served a CWO.

Of the prisoners at 30 June 2000 who served an ICO immediately prior to the current prison sentence, 74% commenced the current prison episode within 12 months of completing the ICO (either successfully or through breach). This ratio is significantly higher than that of offenders would served a CBO, CWO or FDO immediately prior to their current prison sentence, where the proportion ranged from 52% to 55%.

2.3.3.6. Sentence Duration

The number of people in prison at any one time is a function of both:

- The number of receptions and
- The length of each sentence.

Data regarding prisoners with sentences of greater than 2 years was analysed to determine whether sentence lengths have generally increased over time.

At 30 June 2000, 59% of prisoners with sentences greater than 2 years committed an offence against the person, 14% committed robbery & extortion and 11% committed a drug offence as their most serious offence.

Generally, offences against the person attracted the longest sentences of 8.9 years on average. This average has increased from 8.0 years at 30 June 1996. As this is largest group offenders, the increased sentence length will have the greatest impact on prison numbers and capacity.

2.3.3.7. Prison Population Forecasts

At 3 September 2000, the number of prisoners held in Victoria public prisons exceeded the design capacity of 2,875 by around 9%. The useable capacity of 3,320, through the use of temporary beds, was adequate to house Victoria's 3,137 prisoners. However, the use of such temporary capacity diminishes the flexibility in placing prisoners appropriately and ensuring their protection, access to rehabilitation programs and proximity for visits.

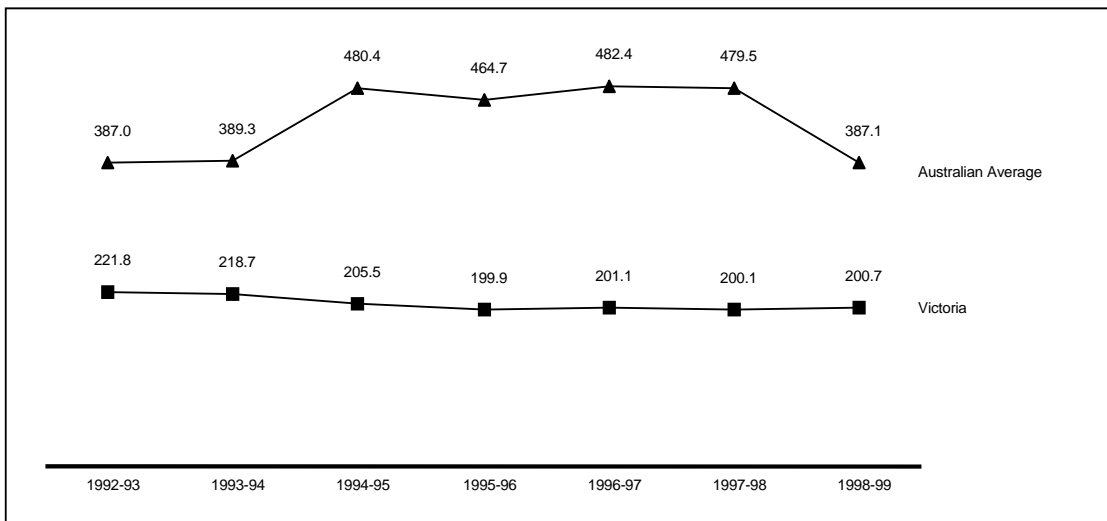
Male prisoners exceeded design capacity by approximately 8% and female prisoners exceeded design capacity by approximately 22%. Useable capacity was adequate for both male and female prisoner populations of 2,938 and 199 respectively as at 3 September 2000.

The growth in prisoner populations is likely to continue, outstripping useable capacity in the short to medium term. It is estimated that the growth of major drug offences leading to imprisonment will increase to 54% for men and to 110% for women between 1999 and 2004⁶⁴.

2.3.4. CCS Population

Victoria has maintained relatively low offender rates. In 1999, Victoria's offender rate per 100,000 adults was 48% below the national average. Despite Victoria having 25% of Australia's population only 13% of its offenders are on community-based sentences⁶⁵.

Figure 15. Offender rates (per 100,000 adults)⁶⁶



However, there has been a dramatic rise in community-based sentences in Victoria during the past ten years, partially caused by the increase in the range of orders supervised by CCS as well as the increase in the number of orders for each order type. The increase is primarily contributed by Fine Default Orders. However, ICOs and CBOs have also grown at a steady rate between 1994/95 and 1998/99.

The legislative changes have led to an increase in the variety and number of offenders supervised by CCS. Today CCS supervises offenders ranging from difficult offenders with complex needs to offenders with low need profiles.

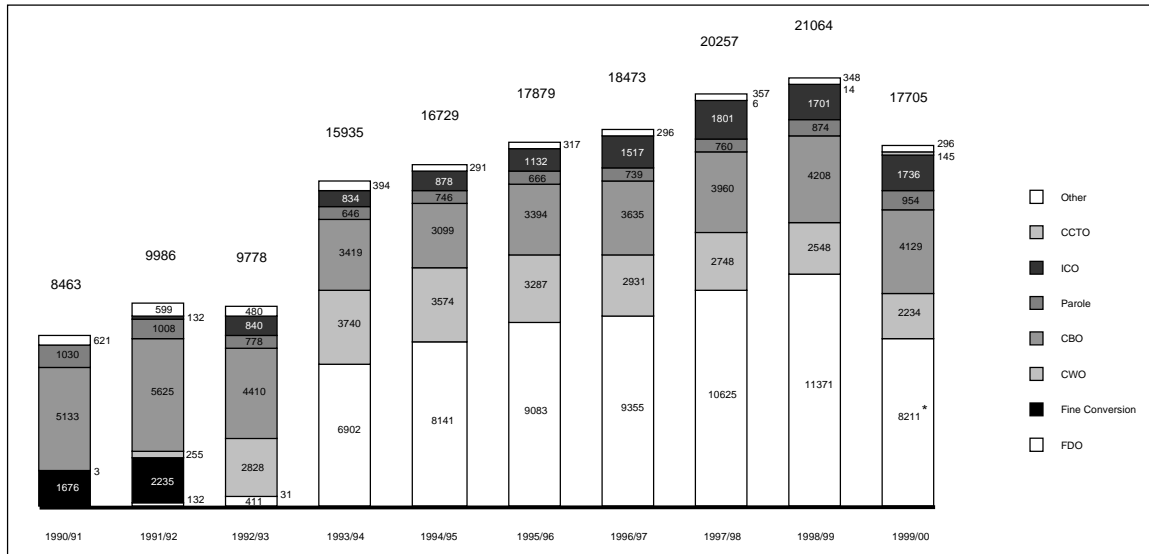
The number of orders supervised annually by CCS has risen since 1990/91 from 8,463 to 21,064 in 1998/99. Orders decreased to 17,705 in 1999/00. However, this difference in the number of orders supervised is largely caused by the decrease of FDOs due to the problems of the IT system at the PERIN Court.

⁶⁴ Walker, J. (1999), *Victorian Prison Projections 1999*, Department of Justice: Melbourne

⁶⁵ Graycar, A. (2000), *Contemporary Challenges in Community Corrections*, Australian Institute of Criminology: Canberra

⁶⁶ Commonwealth of Australia (2000), *Report on Government Services, Volume 2: Justice, Emergency Management*, Steering Committee for the Review of Commonwealth/State Service Provision: Canberra

Figure 16. Community-based sentences: number of orders, Victoria 1990/91-1999/2000 ⁶⁷



The range of orders supervised by CCS reflects the broad profile of offenders. The past decade has seen the introduction of new orders including the Fine Default Order which accounts for approximately 50% of all community-based dispositions; Intensive Correction Orders; and Combined Custody and Treatment Orders. This has potentially led to varying complexity and risk of offenders supervised and managed by CCS.

2.3.4.1. Offender Demographics

The analysis of CCS offender demographics is based on a sample of offenders extracted from OASIS during September 2000⁶⁸. Current OCSC data warehouses store demographic data by order, as opposed to offender. This can lead to complications where an offender serves multiple orders concurrently or within the same period, either of the same type (eg. two FDOs) or of different types (eg. one CBO and one FDO). To overcome the potential problem of duplication, and to accurately analyse the characteristics of offenders, a unique offender population was determined.

At two points in time, 21 August 2000 and 30 June 1996, unique offender populations were calculated by OSCS based on the *most serious order* currently being served. For example, if an offender was serving a CBO and a FDO concurrently, they would be counted only once in the CBO offender population. The following analysis may therefore not reflect the demographics of *all* offenders in each order.

Offender demographics recorded on OASIS are compiled from a number of sources, including police briefs, offender history, interviews with the offender, prior entries on OASIS or PIMS, counsel, psychiatric/psychological reports, Human Services reports and contact with other agencies. Based on this data, the Community Corrections Officer makes an assessment regarding whether the offender requires psychological or psychiatric intervention, intellectual disability services, conflict resolution or sex offender intervention. These assessments are recorded on OASIS, in the management profile system, and are used to manage the risk of the offender.

Due to the limited timeframe and the lack of readily available offender data, samples were used to analyse current offender profiles and trends. To obtain a statistically significant sample, the population size along with the mean and variance for each variable needs to be known. Apart from population size, CCS offender population statistics were not available. Considering the limited timeframe, the number of discrete variables and the lack of statistical data, a rule of

⁶⁷ OASIS Data Warehouse

⁶⁸ Sample size: 275 offenders at 30/06/1996 and 21/08/2000

thumb measure was used. This measure is based on a 3% sample size for a population of 1000, reducing to 1% for a population of 3000. For a population less than 1000, a sample size of at least 4% is used. Refer Appendix 17 for further detail.

The samples were manually extracted from OASIS by OCSC based on randomly generated CRNs (corrections reference number) provided by OCSC. Data was extracted for offenders serving orders at 30 June 1996 and 21 August 2000. This allows for an analysis of current offender characteristics as well as trends in offender demographics (that is, between 30 June 1996 and 21 August 2000). As CCTOs were introduced in 1997, trend analysis for CCTOs is not possible.

As offender details are continuously updated on OASIS, where older data is overwritten, demographics at each of the extract dates may not be a true reflection of their current status at that date.

Analysis of orders, as opposed to offenders, is likely to yield different results, especially when comparing the sample population to the entire number of orders commenced in a financial year. This is due to offenders who have multiple and/or concurrent orders within each year.

Further analysis of the total CCS population would be required where program decisions are to be made based on offender demographics.

The sections below provide a statistical overview of the CCS sample population, categorised by demographic or order characteristic. All proportions are based on the random sample population extracted from OASIS, except for *order duration* where all orders commenced in each financial year were analysed.

Order Duration

The table below details the duration of all orders commenced in each of the following financial years⁶⁹.

		< 6 months	6 – 12 months	> 12 months
ICO⁷⁰				
	1995/96	56%	42%	2%
	1996/97	57%	41%	2%
	1997/98	58%	39%	3%
	1998/99	55%	42%	3%
	1999/00	58%	40%	2%
CBO				
	1995/96	1%	68%	31%
	1996/97	1%	72%	26%
	1997/98	2%	75%	23%
	1998/99	3%	77%	20%
	1999/00	4%	80%	17%
CWO				
	1995/96	43%	53%	4%
	1996/97	45%	52%	3%
	1997/98	47%	50%	3%
	1998/99	45%	51%	4%
	1999/00	45%	54%	1%
FDO				
	1995/96	79%	19%	2%
	1996/97	75%	22%	3%
	1997/98	73%	22%	4%
	1998/99	73%	24%	3%
	1999/00	71%	25%	4%
Parole				

⁶⁹ Data extracted from OASIS and provided by OCSC, 14 November 2000

⁷⁰ xxxxx

	1995/96	8%	52%	40%
	1996/97	10%	49%	41%
	1997/98	10%	48%	42%
	1998/99	12%	50%	38%
	1999/00	11%	53%	36%

Gender

- In 2000, females accounted for the minority of offenders across each order type. Female representation ranged from 8% for FDO to 20% for CWO
- The proportion of female offenders grew in ICOs, CWOs and Parole from 1996. Female representation doubled in ICOs (rising from 5% to 10%), almost tripled in Parole (rising from 5% to 13%) and quadrupled in CWOs (rising from 5% to 20%) between 1996 and 2000
- However, for CBOs and FDOs the proportion of female offenders declined since 1996. Female representation halved for CBOs (from 35% to 16%) and for FDOs (from 17% to 8%) from 1996 to 2000

Young Offenders

- There was much variability in the proportion of young offenders across orders in 2000
- Offenders under the age of 25 accounted for 55% of CWOs, 51% of CBOs and 40% of CCTOs, whereas these offenders constituted 10% of Parolees and 23% of ICOs
- The proportion of young offenders increased significantly for CBOs and Parolees, increased marginally for CWOs and decreased for FDOs and ICOs since 1996 as below:
 - CBO: rise from 35% to 51%
 - Parole: rise from 5% to 10%
 - CWO: rise from 52% to 55%
 - FDO: decline from 35% to 18%
 - ICO: decline from 30% to 23%

Indigenous Offenders

- Generally, the proportion of indigenous offenders remained below 5%, however, 15% of CCTOs were comprised of indigenous offenders
- There has been an increase in indigenous representation across ICOs, CWOs and FDOs, a decrease in Parolees and no change in CBOs since 1996

Drug or Alcohol Problem

- Significant proportions of offenders were identified with drug and/or alcohol problems. Where this data has been recorded, the trend indicates a rise in drug or alcohol dependence from around 43% of the offender population in 1996, to around 63% in 2000⁷¹
- In 2000, offenders identified as having a drug or alcohol problem represented 68% on CBOs, 55% on Parole, and 40% on ICOs
- Since 1996, the proportion of drug or alcohol addicted offenders increased from 45% to 68% for CBOs and from 33% to 55% for Parolees. The data indicates that the proportion of offenders on CBOs with a drug or alcohol problem decreased from 60% to 40% since 1996, however, this figure is distorted due to data on 25% of offenders on CBOs not being available in 2000, and
- No data was available for FDOs and CWOs.

Education

- In 2000, there were generally low levels of education across all orders with 73% to 80% of offenders not having completed secondary school and around 3% to 8% having undertaken tertiary study
- Since 1996, there has generally been an increase in the level of education of offenders serving ICOs and FDOs. A greater proportion have completed secondary school (ICO: from 3% to 17%; FDO: from 10% to 17%) as well having undertaken tertiary studies (ICO: from 3% to 5%; FDO: from 3% to 5%)

⁷¹ Based on a weighted average of the sample; "drug/alcohol problem" was not recorded for 45% and 34% of offenders in 1996 and 2000 respectively.

- The education level of Parolees has fallen significantly with 20% of parolees in 1996 have undertaken tertiary studies compared to 8% in 2000, and
- For CBOs and CWOs, the level of education has not changed significantly from 1996.

Employment

- The majority of offenders were unemployed, 50% to 63% across all orders, in 2000
- The trend indicates that unemployment levels have risen since 1996 for offenders serving CBOs, CWOs and FDOs, however, for ICOs and Parolees, the level of unemployment appears to have declined.

Psychiatric or Psychological Problem

- Around a quarter of offenders with CBOs and CCTOs were identified with psychiatric or physiological problems, whereas, ICOs and Parolees recorded significantly lower rates of 5% and 8% respectively
- The trend indicates that the proportion of offenders serving CBOs with a psychiatric or physiological problem doubled from 1996 (12% to 23%), while the proportion decreased for ICOs (12% to 5%) and for Parolees (10% to 7%)
- No data was available for FDOs and CWOs.

Intellectual Disability

- The proportion of offenders identified as having intellectual disability (IDS registered) in 2000 ranged from 2% of Parolees to 11% of CBOs.
- The trend indicates that there has generally been a rise in intellectually disabled (IDS registered) offenders in CCS. The proportion in ICOs has risen from 2% to 10%, CBOs from 1% to 11% and Parolees from 0% to 2% since 1996.
- No data was available for FDOs and CWOs

Most Serious Offence

- Offences against property were the most common offences across CBOs, CCTOs and CWOs. Offences against the person were the most common offences for ICOs and Parolees. Traffic Offences were the most common offences committed by offenders with FDOs.
- CBO: In 2000, 45% of offenders committed offences against property, 27% offences against the person and 16% drug offences. The trend indicates a rise in drug offences (from 7% to 16%) and offences against the person (from 20% to 27%), and a decline in offences against property (from 55% to 45%) and traffic offences (from 13% to 8%) since 1996.
- CCTO: In 2000, 58% of offenders with CCTOs committed offences against property, 13% drug offences, 10% offences against the person and 10% robbery & extortion.
- CWO: In 2000, 65% of offenders with CWOs committed offences against property and 23% offences against the person. The trend indicates a rise in offences against property (from 48% to 65%) and drug offences (from 2% to 5%), and a decline in other offences (from 8% to 0%), traffic offences (from 12% to 7%) and offences against good order (from 5% to 0%) since 1996.
- FDO: In 2000, 48% of offenders with FDOs committed traffic offences and 28% offences against property. The trend indicates a rise in offences against property (from 8% to 27%) and declines in offences against the person (from 13% to 5%) and drug offences (from 10% to 5%) since 1996.
- ICO: In 2000, 35% of offenders with ICOs committed offences against the person, 25% traffic offences and 18% offences against property. The trend indicates increases in traffic offences (from 16% to 25%), offences against the person (from 20% to 35%), robbery and extortion (0% to 7%) and drug offences (from 7% to 13%) since 1996. There was a substantial decrease in offences against property (from 57% to 17%).
- Parole: In 2000, 50% of parolees committed offences against the person, 23% offences against property and 18% robbery & extortion. There were no significant changes in most serious offence since 1996.

Violent Offenders

- 12% offenders with CCTOs, 20% of CBOs and 27% of Parolees were considered violent, whereas 43% of offenders with ICOs were considered violent.

- The proportion of violent offenders has increased for ICOs (from 12% to 43%) and CBOs (from 3% to 20%), however, these figures may be distorted due to the fact that a significant proportion of data was not available in 1996.
- No data was available for FDOs and CWOs

Sex Offenders

- The proportion of sex offenders per order type ranged from 7% to 10% for CCTO and ICO respectively, and from 15% to 20% for CBO and Parole respectively
- The proportion of sex offenders has increased for ICOs (from 2% to 10%) and CBOs (from 2% to 15%), however, these figures may be distorted due to the fact that a significant proportion of data was not available in 1996
- No data was available for FDOs and CWOs

Risk Assessment

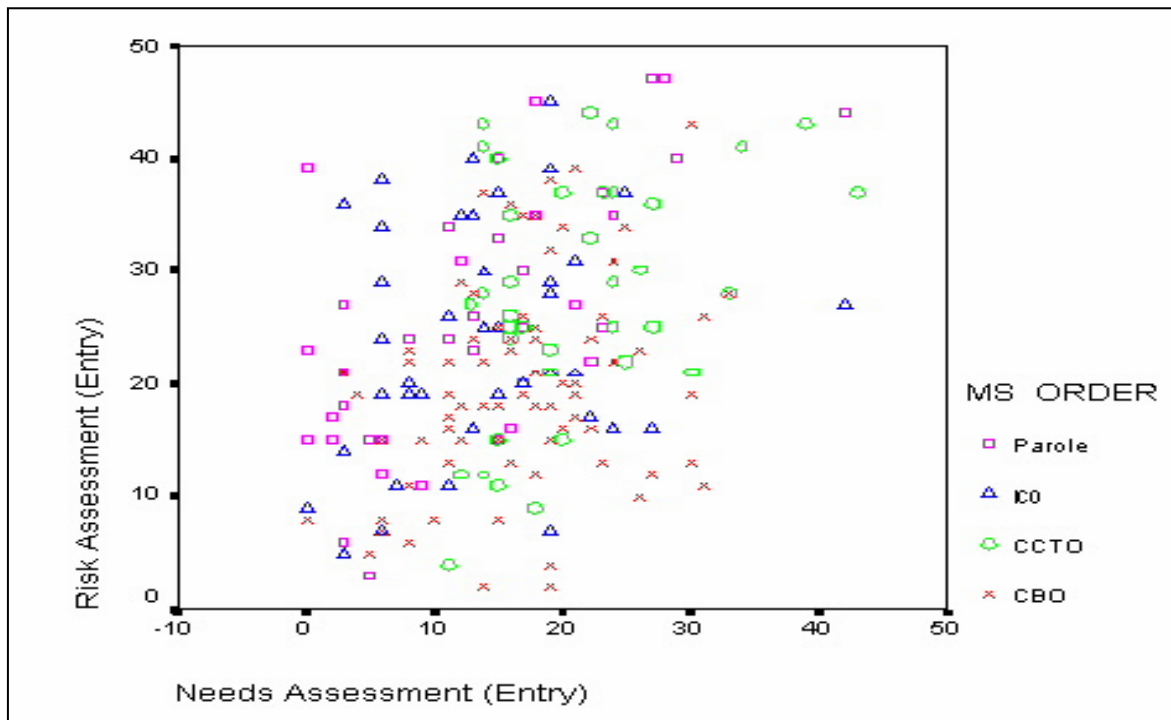
- In 2000, the majority of offenders were identified as high risk offenders on entry.
- This ranged from 73% to 88% across all orders except for FDO and CWO where risk is not recorded.
- Based on current risk assessments of the CCS population at 21st August 2000, the proportion of high risk offenders has generally declined when compared to the initial assessment upon commencement of the order:
- 56% of offenders on CBOs and 63% of Parolees were identified as high risk, falling from 73% and 88% respectively when compared to the initial assessment
- The number of high risk offenders on CCTOs declines marginally from 88% to 85% and ICOs remained unchanged at 83%
- Based on risk assessments (on entry), the trend indicates a substantial increase in high risk Parolees, a smaller increase in high risk CBO offenders (from 68% to 73%), and marginal changes in the risk assessments of offenders serving ICOs since 1996.
- No data was available for FDOs and CWOs

Needs Assessment

- The majority of CBO and CCTO offenders were initially assessed with moderate needs (51% and 58% respectively), whereas the majority of ICOs and Parolees were initially assessed with low needs (55% and 50% respectively).
- The current needs assessment indicates that the 61% of CBOs and 60% of parolees have low needs. CCTOs and ICOs largely remained unchanged between initial and current assessment.
- The trend indicates that the needs assessment of offenders on CBOs has largely fallen since 1996 (from 40% to 13% high risk). There is a similar pattern for ICOs, with the proportion of low needs offenders rising from 35% to 54% since 1996.
- No data was available for FDOs and CWOs

Figure 17 on the next page illustrates the risk-needs disperision of offenders upon entry based on the sample.

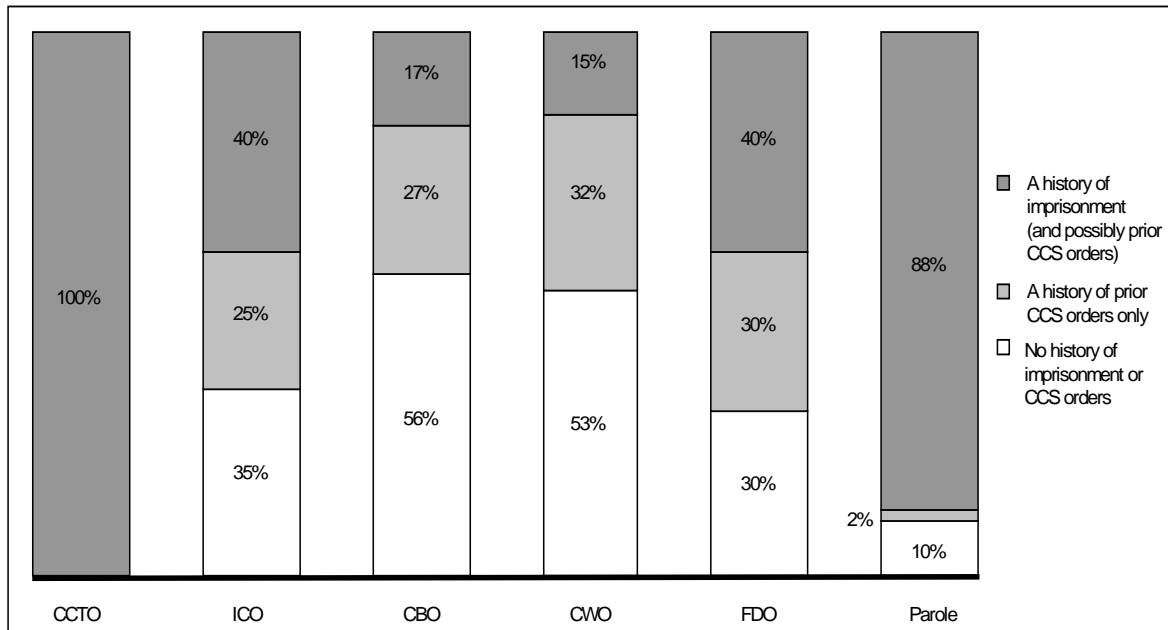
Figure 17. Risk-needs assessment dispersion of offenders upon entry



Community Work

- 83% of CBOs had community work as part of their order
- Of the orders with community work, CBOs had, on average, the most community work requirements at 139 hours, followed by CWO at 113 hours and FDOs at 53 hours

Figure 18. Prior Orders (offenders with a history of CCS orders or prior imprisonment) in 2000



Note: Prior imprisonment for CCTOs and Parole does not include the prison component of the order

58% of the current CCS population has a history of either community-based orders or imprisonment.

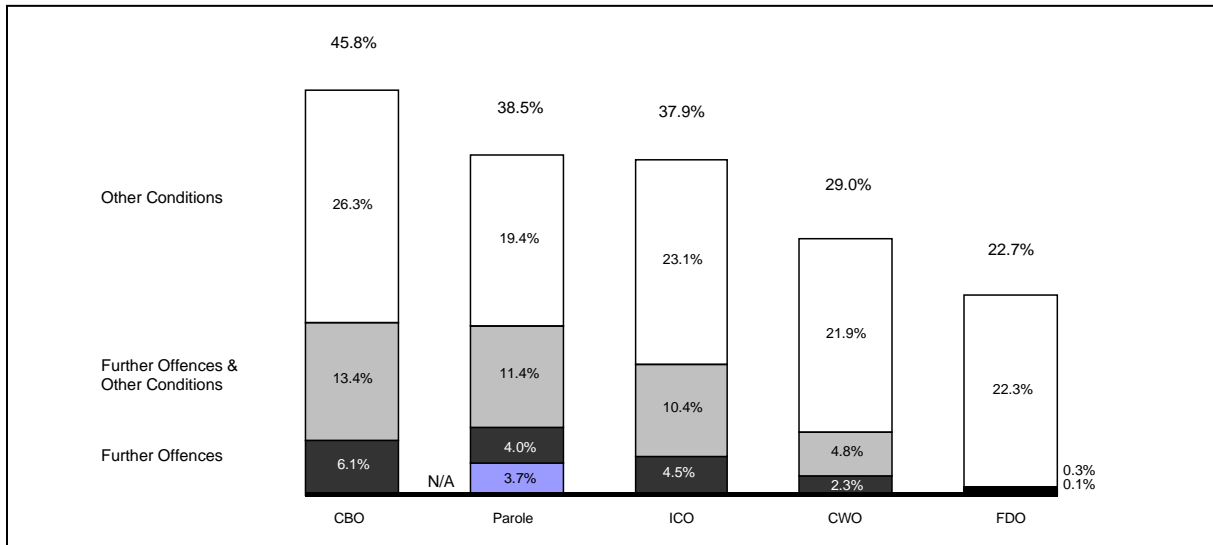
2.3.4.2. Breaches⁷²

There has been a general growth in breach rates over the last 5 years. The majority of breaches resulted from a breach of the conditions attached to orders. The data indicates that generally, the more onerous the order, the more likely an offender will breach.

⁷² Definitions of breaches are as below:

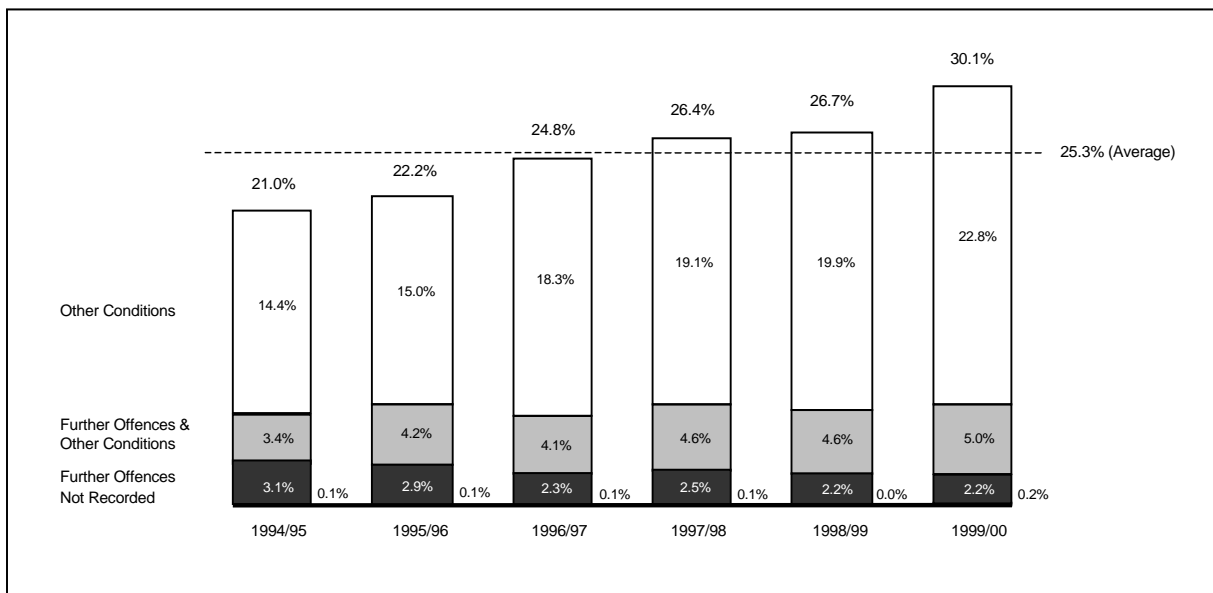
1. Breached orders are those orders discharged with a successfully proven breach outcome.
2. Orders discharged as "Breach Action Pending" that do not have a proven outcome are excluded from the count of orders discharged. Therefore, as the outcomes become known, the number of orders counted as discharged increases.
3. Breach rates are not available for CCTOs as data has only been recorded on OASIS since the end of February 2000. There were around 400 CCTOs handed down in the period before this time where CCS manually recorded their details.

Figure 19. Breach rates (1999/00)⁷³



The breach rate for all orders has risen by 43%, from 21.0% in 1994/95 to 30.1% in 1999/00.

Figure 20. Breach rates – all orders⁷⁴



Trends:

- The ICO breach rate fell from 33.5% in 1994/95 to 31.7% in 1996/97, only to rise to 37.9% in 1999/00. 61% of all breaches in 1999/00 were breach of conditions whereas only 12% were breaches through further offences only
- The CBO breach rate increased consistently from 38.2% in 1994/95 to 48.0% in 1997/98 but has since declined and stabilised at 45.8%. Breach of conditions was the principal breach type over the last 5 years, followed by combined breach of conditions and further offence
- CWO breach rate rose from 24.4% in 1994/95 to 29.5% in 1996/97 and appears to have stabilised at around 29.0%. 76% of all CWO breaches in 1999/00 were breach of conditions

⁷³ OASIS

⁷⁴ Ibid

and 8% were breach through further offences. This pattern has been fairly consistent over the last 5 years

- FDO breach rate has consistently risen from 10.5% in 1995/96 to 22.7% in 1999/00. This represents a rise of 116% over the last 4 years. Breach of conditions represented the major breach type since 1994/95 and in 1999/00, 98% of all FDO breaches were breach of conditions
- The parole breach rate increased steadily from 22% in 1994/95 to 38.5% in 1999/00. Around half of all Parole breaches result from breach of conditions, the lowest proportion compared to all other orders.

2.4. Cost of Crime

Crime costs the Australian community approximately \$18 billion per year; that is, 4% of the Gross Domestic Product⁷⁵. The key drivers of this cost include the:

- Cost of the criminal justice system and its law enforcement agencies
- Actual cost of crime – loss or damage to goods, increased insurance premiums, medical expenses
- Opportunity cost of lost production, and
- Cost to the victim, the victims' family and offenders' families.

Victoria's real annual growth rate per capita of Government expenditure on criminal justice is lower than any other Australian State.

Victoria's low imprisonment/offender rate (illustrated in Figures 2 and 3) makes it extremely challenging for the Government to reduce it further. However, Victoria must take initiatives in this area as numbers of prisoners and offenders increase and the burden of corrections to the taxpayer is getting bigger.

If the growth in prison population continues⁷⁶, it is estimated that Victoria will have to spend over \$100 million over the next five years to build extra prison capacity and the real annual operating expenditure for prisons per annum will rise by around 30% (or more than \$40 million) by 2005⁷⁷.

2.5. Role of Corrections in This Context

Changes to crime trends and offender profiles have re-opened the debate regarding the role of corrections. Some groups within the community advocate a stronger response to crime and offenders. They believe that punitive action and deterrence will create disincentives for potential offenders. Other community groups push for increased focus on crime prevention and rehabilitation of offenders. Goal-oriented courts are used in some countries that have gone in the latter direction. There is a tension between punishment and rehabilitation goals in the Sentencing Act and in the corrections agencies. The appropriate direction for a jurisdiction depends on local community attitudes and the nature of crimes within the jurisdiction.

Our stakeholder discussions have revealed an inclination towards crime prevention and rehabilitation, while preserving a strong punishment and risk management role for corrections. This focus has been stronger for low risk and drug addicted offenders, who are the target client group for CCS. This direction corresponds with the Government's strategies and objectives in this area.

Several levers can be impacted throughout the justice continuum to achieve the Government's policy goals in corrections and potentially reverse the trend of growing prisoner and offender numbers. None of these levers alone will have a significant impact, however there are various transformation options for the Government as a whole and corrections to meet the emerging needs of the community and the justice system.

⁷⁵ Chisholm, J. (2000), "Benefit-Cost Analysis and Crime Prevention", in *Trends & Issues in Crime and Criminal Justice No. 147*, Australian Institute of Criminology: Canberra

⁷⁶ Walker, J. (2000) *Victorian Prison Projections 2000*, Department of Justice: Melbourne

⁷⁷ Arthur Andersen analysis based on prisoner forecasts from Walker (2000) and current estimates on prison construction and operating costs

2.6. Conclusion

As a result of changes in legislation since the introduction of the Sentencing Act 1991, and in addition to the changing socio-economic trends and prisoner/offender population profile, CCS must now model its organisation to meet the diverse needs of Government, the judiciary, the community and offenders in a more dynamic and responsive manner. For CCS to provide a higher level of service provision to its stakeholders it must successfully address:

- The increasing imprisonment rate by ensuring that community based sentences are recognised as legitimate, viable sentencing options in their own right offering interventions that meet the judiciary and community expectations as well as offenders needs;
- The number of offenders who breach their community correctional orders by providing a level of supervision and intervention that is commensurate with their assessed risks and needs. As part of this strategy it is imperative that ongoing communication and liaison with the judiciary is sustained to advise of breach management practices;
- The large number of offender/prisoners who re-offend by ensuring appropriately qualified and skilled staff are recruited for specialised areas of case management;
- The need to ensure adequate resources are made available to CCS to effectively manage high risk/need offenders by targeting offenders requiring interventions. This can only be achieved if an actuarial tool is developed to accurately assess risk and needs and relevant programs and services are available to these offenders; and
- The complexities inherent in managing offenders involved in drug-related crime and the need for rehabilitation and treatment services available for this high-risk group. For CCS, this means networking and accessing relevant services for statutory offenders (through brokerage contracts and other services) and building up harm minimisation approach skills and knowledge when working with this offender group.