



Justice inquiry makes 100 recommendations for change

A major review of Victoria's criminal justice system has called for wide-ranging reform to address rising rates of imprisonment and recidivism.

The Legislative Council Legal and Social Issues Committee has recommended the State Government adopt a more modern and rehabilitation-focused approach to justice in Victoria.

"We need urgent work to improve the way we deliver justice, to ensure community safety, and to find modern solutions to reduce offending and reoffending," Committee Chair Fiona Patten said.

The comprehensive inquiry examined all aspects of the criminal justice framework with a particular focus on early intervention, the overrepresentation of vulnerable cohorts, policing, victims of crime, bail and remand, courts and sentencing, prisons and rehabilitation, and the judiciary.

The report has a strong focus on the interests of victims of crime. The Government has been urged to amend the *Criminal Procedure Act 2009 (Vic)* so alternative arrangements can be made for protected witnesses giving evidence, improve support services for victims with disability and establish a victims of crime strategy for culturally and linguistically diverse people.

"Victims told us we need to embed trauma-informed practices into the design of the justice system," Ms Patten said.

"It needs to be more accessible and a less adversarial process for victims of crime.

"The Government should also consider the suggestions they made to this inquiry, as it develops a new victims of crime financial assistance scheme."

The Committee received 170 submissions and held eight days of public hearings involving more than 90 witnesses, including at Wangaratta in north-east Victoria.

"We made it a priority to involve as many individuals with lived experience of the justice system as possible," Ms Patten said.

"We heard some of the most heart wrenching, tragic evidence from victims of crime who have survived unimaginable loss and grief.

"I thank them for their bravery and generosity and assure them that their contribution was influential on the Committee's recommendations."

The Committee heard evidence that despite a 57.6% increase in Victoria's prison population in the decade to 30 June 2020, this hadn't always resulted in better outcomes for the community.

It also found changes to the state's bail system in 2013, and again in 2017-18 had led to a massive rise in the number of people on remand. The figure had almost tripled to just under 3,000 by 2019.

“The purpose of bail is to keep the community safe from high-risk offenders,” Ms Patten said.

“Denying bail to so many has disproportionately impacted women, Aboriginal Victorians, children and young people, and people living with disability.”

Ways to address the overrepresentation of vulnerable cohorts in the criminal justice system are also among the Committee’s record number of recommendations for any inquiry this parliamentary term.

They include urging the Government to partner with Aboriginal Community Controlled Organisations to explore opportunities to expand their decision-making authority and develop long-term funding arrangements.

“One of the saddest facts to me is that socioeconomic disadvantage is so closely linked to an increased risk of engagement with the criminal justice system,” Ms Patten said.

“We must identify individuals at risk and provide social supports to divert them away from the system, so the Committee has made several recommendations with a strong focus on early intervention.”

Disadvantaged communities are at the centre of proposals for extra health justice partnerships and an expansion of programs involving youth workers and mentors in primary and secondary schools.

The Government has also been urged to investigate a state-wide, 24-hour bail system specifically for children, with the guaranteed provision of independent support during any time in police custody.

The Committee took encouragement from Victoria Police’s aims to instil a community-based approach to policing and has recommended the force proactively engage with vulnerable Victorians and minority communities to build trust in law enforcement.

A review to consider the wider use of alternatives to punitive punishments has also been sought.

“For example, cautions and court-based diversions are key mechanisms to divert people away from the criminal justice system, however currently their application is inconsistent and often at the discretion of the attending officer,” Ms Patten said.

“This is why we have called on the authorities to collect and transparently provide data about what is happening, not just in prisons, but across the justice system more broadly.”

The Committee has called for the Government to amend the *Sentencing Act 1991 (Vic)* to allow for courts to impose home detention orders, as an alternative to jail. It also wants a review of the impacts of the Act’s mandatory sentencing provisions.

“The Government’s priorities should be focused on supporting victims of crime, rehabilitation of offenders, circumventing recidivism, ending overrepresentation of Aboriginal people in our jails, and ensuring early intervention for those who are disadvantaged,” Ms Patten said.

“I am satisfied that the changes we have proposed, if implemented, would have a significant positive influence on the lives of individuals and the safety of the community.”

To read all of the report’s 73 findings and 100 recommendations go to the Committee’s [website](#).

Watch a video summary and snapshots of evidence provided at public hearings on [YouTube](#).

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