

A SIMPLE WAY TO IMPROVE COMMUNITY CORRECTIONS IN SOUTH AUSTRALIA

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This IPA Parliamentary Research Brief identifies a problem with community corrections in South Australia: offenders in community service programs are serving only a fraction of the hours to which they have been sentenced.¹

In response, we propose that Government involve private companies in community service by allowing them to bid for the labour of offenders.²

This will increase the amount of work available for community corrections, making sure that offenders do not escape the full measure of their punishments.

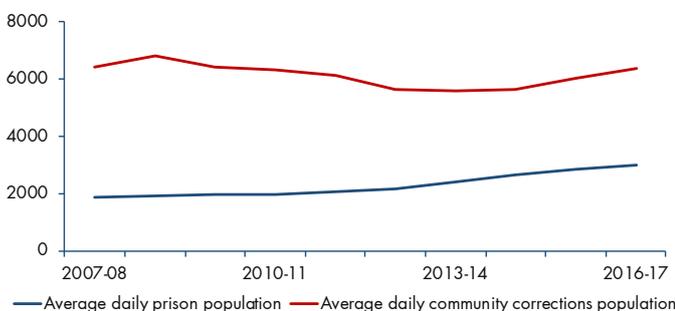
The reform will contribute to the Department for Correctional Services' target of reducing reoffending by 10 percent by 2020.

Background: rising incarceration and costs

The context for this proposal is the massive recent growth of incarceration and criminal justice spending in South Australia.

Over the past decade, the prison population in South Australia has increased by 62 percent, from 1855 in 2007-08 to 2998 in 2016-17. The community corrections population has been steady, at around 6400.

Figure 1: Prison and community corrections populations in South Australia³



The criminal justice system has increasingly favoured incarceration as a punishment, and not only for violent offenders. There has also been a trend away from monetary orders as the principal punishment for many offences.

However, community corrections represents a large and

growing share of the corrections population. Forty-six percent of violent offenders and 35 percent of nonviolent offenders serve their principal (most serious) punishments in the community. As Figure 2 shows, these figures have grown over the past decade.

What this means is that making community corrections more effective in reducing reoffending will potentially have a significant impact on the corrections system overall.

Moreover, Figure 2 also indicates that courts are increasingly sentencing offenders to prison, especially violent offenders. The best way to afford this commitment is to increase the use of community corrections for nonviolent, lower-risk offenders.

Figure 2: Proportion of offenders by principal type of punishment in South Australia⁴

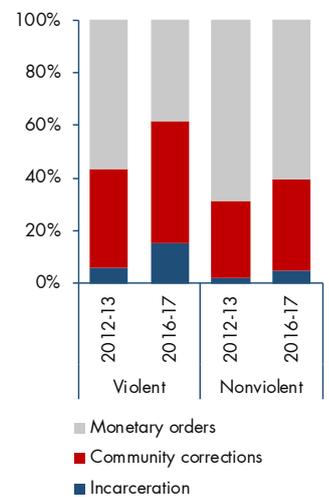
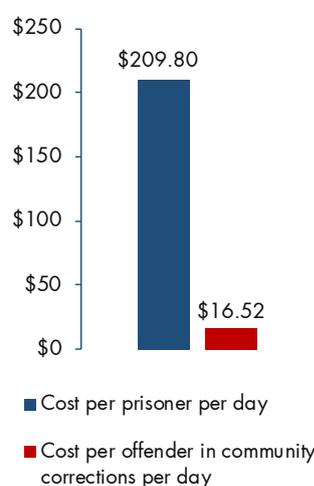


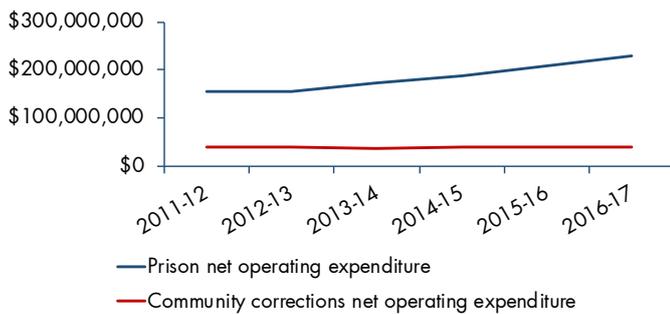
Figure 3: Cost of punishments per offender per day 2016-17⁵



This is because prison is vastly more expensive than community corrections. As Figure 3 shows, the daily cost of one offender being in prison is around \$210, whereas one day for an offender in community corrections costs less than \$17—just 8 percent of the cost of one day in prison.

For this reason, increased incarceration has been expensive for taxpayers. Since 2011-12, spending on prisons has increased by 48 percent in South Australia. Total spending on prisons was \$230 million in 2016-17.

Figure 4: Growth of spending⁶



With South Australia's prisons overflowing,⁷ it is time to strengthen community-based punishments.

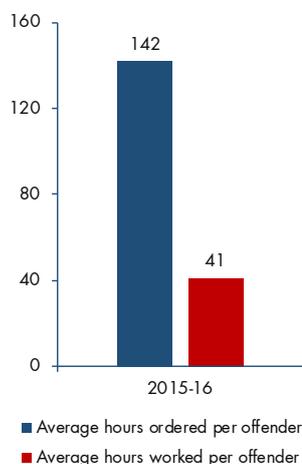
The problem with community corrections

The main part of community corrections is community service, known in South Australia as RepaySA. Participants repay their debts to society with community work, like tending to parks, cemeteries, and other public spaces.

But community-based offenders are not working as much as they should be.

Although the completion rate of community-based orders in South Australia is 72 percent,⁸ offenders are serving less than a third of the hours to which they are sentenced.

Figure 5: Hours ordered and hours worked⁹



Nor is this a recent phenomenon: this ratio has been steady for the past decade.

This is a problem. Experts consulted by the previous South Australian government as part of their sentencing reforms noted the need for meaningful work for offenders,¹⁰ as did the Government's community advisory panel.¹¹

Well-supervised community corrections with meaningful work has been correlated with reduced reoffending.¹²

How to improve community corrections

The challenge for governments is to increase the availability of meaningful work for offenders performing community service.

To achieve this goal, the IPA recommends that government open up community service to bids from private companies, rather than restricting it to unpaid labour and bids from community groups.

This reform would work on a labour hire model. Businesses that can demonstrate they are struggling to fill positions at market rates would bid a flat rate for offenders to fill those roles. The Department for Correctional Services would then pay the offenders for their time at a rate determined by the government.

Paying offenders for their labour is not a radical idea. South Australia runs a prison industries program in which prisoners are paid. Evidence shows that work and skills training are correlated with reduced reoffending.¹³ Activities include wood and metal work and working in a bakery. There is also a work release program.¹⁴

The most common objection to our idea is that paying offenders for their labour reduces the punitive effect of community service. In response, we note that:

- Right now, many offenders are serving far fewer hours than they should be;
- With more work available, the number of hours to which offenders can be sentenced can increase, strengthening the retributive element; and
- Supervisors paying for offender labour have an incentive to ensure workers are productive, so supervision will likely be more stringent in such a program.

To summarise, expanding community service to include paid work opportunities will:

- Increase the work opportunities for community-based offenders;
- Provide work experience and skills training to help offenders get a job and stay out of trouble;
- Increase the viability of community corrections as an alternative to prison, reducing punishment costs over time.

This is a realistic proposal that could be trialled with a select group of offenders before being expanded into a larger program.

1 More comprehensive research can be found in our report: Andrew Bushnell (2018) Making community corrections work <<https://ipa.org.au/publications-ipa/research-papers/making-community-corrections-work>>

2 I discussed this proposal with Alan Hickey on 5AA on 15 May 2018: <<https://soundcloud.com/fiveaa/alan-hickey-should-community-offenders-be-allowed-access-to-paid-work>>

3 Productivity Commission (2018) Report on government services 2018 Tables 8A.4 and 8A.8

4 Australian Bureau of Statistics (2018) Criminal Courts Australia 2016-17, Table 17 and 2012-13, Table 15

5 Productivity Commission (2018) op. cit. Table 8A.18

6 Ibid Table 8A.2

7 Angelique Donnellan (2017) 'SA Government unprepared for prisoner population explosion, Opposition says' ABC News 18 April 2017 <<http://www.abc.net.au/news/2017-04-18/government-unprepared-for-prisoner-population-explosion/8451320>>

8 Productivity Commission (2018) op. cit. Table 8A.19

9 Productivity Commission (2017) Report on government services 2017 Table 8A.13 (NB: No data available for 2018.)

10 Transforming criminal justice – better sentencing options: Key partners workshop report August 2015 available at Attorney-General's Department, 'Better sentencing options' <<https://www.agd.sa.gov.au/projects-and-consultations/transforming-criminal-justice/better-sentencing-options>>

11 Outcomes of community advisory panel p. 5, available at same link as above

12 Some of this research is summarised in Bushnell (2018) op. cit. pp. 20-1

13 Department for Correctional Services, 'Prison industries' <<http://www.corrections.sa.gov.au/prison-industries>>

14 Department for Correctional Services, 'Work opportunities' <<http://www.corrections.sa.gov.au/Rehabilitation-education-and-work/work-opportunities>>