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THE PUNISHMENT MUST FIT THE CRIME

Today Institute of Public Affairs Research Fellows Andrew Bushnell and Darcy Allen presented at the Senate, Economics References Committee Inquiry into criminal, civil and administrative penalties for white collar crime.

IPA research released this past Friday demonstrates the need for change to Australia's criminal justice system. Our prison population is ballooning - costing taxpayers nearly \$4 billion per year. Approximately 46 per cent in Australia's are there because their most serious offence is a non-violent offence. And prisons are not stopping reoffending: 59 per cent of prisoners have been in prison before.

"The interests of victims must always be paramount, and we should not show undue sympathy towards criminals, who must be held to account for their choice to commit crime," said Andrew Bushnell, Research Fellow at the IPA.

"The overarching theme of our submission is the fundamental principle of proportionality -- that the 'punishment must fit the crime'."

"IPA research, and experience from comparable jurisdictions shows that it is desirable public policy to distinguish between violent and nonviolent offenders."

"This is the context for the central contention of our submission: White collar crime is not special, and white collar criminals should not be singled out for special treatment. The principles that apply to the punishment of nonviolent offending also apply to white collar crime."

"White collar crime is a form of nonviolent crime. Consistent with how nonviolent crime is increasingly treated, we recommend that white collar crime be punished wherever possible with alternatives to incarceration, including home detention, community service, and monetary penalties."

"The punishment should fit the crime, not the criminal. Treating white collar crime differently from other nonviolent crime is an unconscionable departure from the principle of equality before the law. The only reason to treat this class of criminals in a special way is political cynicism," said Mr Bushnell.

A copy of the IPA report: *The use of prisons in Australia: Reform directions* is available [here](#).

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