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IPA: The New South Wales Government's bold criminal justice reforms will improve community safety

"The New South Wales Government should be congratulated for its bold criminal justice reforms, which will improve community safety and have the potential to save taxpayers money in the longer term," said Andrew Bushnell, Research Fellow at the free-market think tank, the Institute of Public Affairs.

The New South Wales Government today announced a package of reforms to the administration of criminal justice in the state, many of which are consistent with IPA research and policy recommendations.

In particular, the reforms include the replacement of suspended sentences with improved community-based punishments and changing the way that parole breaches are punished.

"The abolition of suspended sentences is smart policy," said Mr Bushnell. "The public rightly regards suspended sentences as insufficiently punitive. Intensive Corrections Orders give courts more options for punishing offenders in the community by ensuring they are properly supervised and released with appropriate conditions."

IPA research has shown that criminal justice reform based in traditional principles of personal responsibility and fair punishment can pursue tough measures against violent criminals while looking for alternatives to prison for those it is safe to punish in the community. For this reason, the IPA has consistently called for punishment reform for nonviolent offenders and the expansion of the range of community-based punishments available to courts.

"We are very pleased to see the Government moving in this direction," said Mr Bushnell.

The IPA also welcomed the Government's parole changes. All parolees will now be supervised and minor parole breaches will be swiftly punished without being referred to the State Parole Authority.

"Similar reforms have been successfully implemented in many American states, including Texas. Swift, certain and fair penalties, as they are known in the United States, are more effective in changing criminals' behaviour because consequences for misbehavior are immediate and proportionate," said Mr Bushnell.

The public will benefit from this reform package with improved community safety and lower crime and reoffending, and in the longer term by reducing the growth in criminal justice spending. IPA research has shown that American states that have pursued similar reforms have avoided prison costs while seeing crime go down.

“The IPA supports the overall package. It is tough against those criminals who are a danger to the community and smart in its treatment of lower-risk offenders,” said Mr Bushnell. “These reforms build on the best evidence from overseas and are a positive example to other Australian states,” said Mr Bushnell.

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

A copy of the IPA report: *Criminal Justice reform: Lessons from the United States* is available [here](#).

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“Fifty-nine percent of Australian prisoners have been imprisoned before, and the best way to break this cycle of offending is employment,” said Mr Bushnell. “Barriers to employment like the high minimum wage and stringent licensing requirements do nothing for ex-prisoners’ chances of building a dignified life.”

Along with rising incarceration, American reformers have also addressed the widening scope of the criminal law. In Australia, many regulations in areas like finance and environmental management are backed by severe criminal penalties that regulators use to coerce individuals.

“Very often, regulatory criminal law is just another form of red tape that gets passed on to the consumer,” said Mr Bushnell. “This overreach is bad for the economy, undermines confidence in the criminal law, and diverts resources from where they would do more good for community safety.”

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