

Social innovation, law and justice

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Abstract

Criminal justice is an important topic for governments and voters. About 10 per cent of Australia's national budget is concerned with public order and safety, a figure that does not include expenditure on private security or on the vast array of administrative regimes, such as the tax office and child-support agencies, that regulate our behaviour. One would have thought that this level of resource allocation would have ensured widespread debate on the most cost-effective and productive means to police and punish antisocial activity and crime. Sadly, the justice debate is usually facile and shallow, and based on the major political parties setting out their 'tough on crime' credentials. Thus, political justice promises are typically narrowly focused, centred on more laws, more police, less discretion for those charged with the task of sentencing, longer sentences and more prison beds (without regard for overcrowded cells). Opposition parties rarely argue against these promises lest they be targeted as being soft on crime and thereby place their political survival in jeopardy. It is unusual to find informed discussion of alternative policy options that may better address crime and justice concerns and that may allow the public dollar to be spent more effectively. This is a political disconnect of major proportions, and a very costly one at that. What makes this situation even more remarkable is that there is an abundant and growing body of cross-disciplinary research evidence that highlights successful policy initiatives that could be implemented by policy makers. In this paper I explore this political disconnect, and consider the policy alternatives. I posit, amongst other things, that a high imprisonment rate is a failure of policy, not a badge of honour. There is nothing mutually exclusive about a low imprisonment rate and a low level of crime. Indeed, both targets can satisfy the concerns of voters generally and victims of crime more specifically.