

Crime expert promotes trauma-informed justice

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[Raising the minimum age of criminal responsibility from 10 to 14 years old](#) in South Australia is an important step forwards in progressing the principles of trauma-informed justice systems, Flinders experts say.

Criminology expert Dr. Katherine McLachlan, author of a new book targeting a more compassionate "trauma-informed" criminal [justice](#) system, says community safety can still be a central pillar in an efficient and more equitable justice system that recognizes the value of

meaningful rehabilitation options for people who offend.

In their submission to the SA Attorney-General's Department "Raise the Age" review, Dr. McLachlan and colleagues say, "A new agency or authority should be created to respond and provide support to children in a 'culturally led, trauma-informed' way that is also evidence-informed.

"Such a service does not currently exist in South Australia and should not sit in the [criminal justice system](#). We have to stop re-traumatizing children by making them criminals at a young age.

"Evidence-informed, trauma-informed strategies are badly needed to respond to these children to genuinely promote community safety and help them to develop meaningful, positive lives."

Backed by extensive work with victims of crime, Dr. McLachlan recognizes the importance of meaningful rehabilitation options for people who offend to reduce re-offending, promote safer communities and provide "outcome justice" for victims.

Her research calls for offender trauma to be taken into account during the criminal justice process, both before and after sentencing.

"Trauma-informed criminal justice would enable research evidence to inform effective crime prevention and individualized sentencing.

"In my book I build a case for trauma-informed criminal justice practices in sentencing, correctional care, policing and other services," says Dr. McLachlan, a qualified lawyer and now senior lecturer in criminology at Flinders University's College of Business, Government and Law.

"This approach can, in turn, also be used to promote better outcomes for

victims of crime and the professionals who work in the sector.

"We all know how adversity, trauma and crime usually come together but often the judicial system and corrections, police and policymakers do not take into account past trauma.

"For example, judges may not consider the ongoing traumatic impact of chronic child abuse victimization in adult defendants' lives."

The traumatic impacts of childhood adversity can change the neurological and emotional functioning of a person, impacting their behavior and increasing the risk of re-offending, she says.

"This may mean that people who persistently offend never receive the help they need and become more of a threat to society as a result."

On the one hand, she says justice agencies are beginning to use trauma-informed practices, particularly when responding to children who offend.

"But, for [children](#) who continue to offend into adulthood, sentencing judges are only starting to recognize unresolved and intergenerational trauma, and respond in a way that will promote desistance from crime.

"This is particularly true for First Nations defendants, where culture and resilience can be protective factors, helping to create a strong and proud pro-social identity."

Although judges are bound by case law precedent and legislation, Dr. McLachlan says, there is an opportunity for more trauma-informed decisions as a meaningful way to "break the cycle" of offending with adult defendants who repeatedly break the law.

The new book is titled "[Trauma-Informed Criminal Justice: Towards a More Compassionate Criminal Justice System.](#)"

More information: Trauma-Informed Criminal Justice: Towards a More Compassionate Criminal Justice System.
link.springer.com/10.1007/978-3-031-59290-4

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