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Urgent action needed on Indigenous imprisonment in light of new Productivity Commission report

The Productivity Commission's latest '[Overcoming Indigenous Disadvantage](#)' report has underscored the pressing need for reform to combat catastrophic rates of Indigenous imprisonment.

The report has found that while there has been some improvement in the areas of health, economic participation and education, the national imprisonment rate is "alarmingly high" and has increased 77 per cent over the last 15 years. It also found that while Indigenous juvenile detention rates have decreased, they remain 24 times higher than for non-Indigenous youth.

Law Council of Australia President, Stuart Clark AM, said the need for urgent change was clear.

"Current rates of Indigenous imprisonment are nothing shy of a national scandal," Mr Clark said.

"Three per cent of the general population is Aboriginal or Torres Strait Islander, yet this group makes up 27 per cent of the prison population. The problem was atrocious enough to shock a nation when it was examined by a Royal Commission in 1991, and it has grown much, much worse since then.

"We know the corrosive effects of incarceration, both on the individual serving time, their families, and their communities. Unfortunately, imprisonment is now simply part of the Indigenous experience and forms an integral aspect of the cycle of disadvantage."

"The good news is we know there are a myriad of constructive ways to start driving this rate down.

"COAG must adopt 'reducing Indigenous imprisonment' as a key item on its 'Closing the Gap' agenda, and the Commonwealth, states and territories must establish and report on justice targets.

"Laws which have a disproportionate impact on Indigenous people should also be reformed.

"Bail and remand laws must be reformed to ensure Indigenous children are not held in detention unnecessarily.

"We must stop imprisoning people who simply can't pay fines and mandatory sentencing should be abolished across the board.

"The actions we need to take are clear and very achievable. The Law Council will continue to work with decision makers to make this change a reality."

Mr Clark also said that today's report made the recently announced Australia Law Reform Commission inquiry into Indigenous incarceration even more crucial.

"Bringing the issue under the microscope of the ALRC is an important development and very welcome. However, there are immediate steps governments can take. The Productivity Commission's report is an important 'wake up call' and Federal Government leadership is necessary to drive a national, intergovernmental response, in consultation with Indigenous leaders, justice sector organisations and legal services," Mr Clark said.

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