

National Reconciliation Week an ideal time for action on imprisonment rates, constitutional recognition

The Law Council of Australia has marked National Reconciliation Week by calling on governments at all levels to face squarely up the catastrophic problem of indigenous imprisonment rates, and to throw their collective weight behind the push for meaningful constitutional recognition.

Over the last 15 years, the rate of indigenous imprisonment has increased by more than 57 per cent, while the rate of non-indigenous imprisonment has remained largely static.

Law Council of Australia President Mr Duncan McConnel said National Reconciliation Week provides an ideal opportunity to consider how the law was critical in addressing indigenous disadvantage.

“National Reconciliation Week’s start date on 27 May marks the anniversary of the 1967 referendum when Australians voted to remove clauses in the Australian Constitution that discriminated against Aboriginal and Torres Strait Islander peoples,” Mr McConnel noted.

“It ends on 3 June, which marks the historic 1992 Mabo decision when the High Court of Australia recognised Native Title.

“We cannot address indigenous disadvantage through focusing solely on housing, education, and health initiatives – vital though these efforts are.

“The Law Council considers the nation may be at a tipping point, where the indigenous disadvantage, crime and imprisonment is becoming so entrenched that positive initiatives, such as Closing the Gap, may be set back another generation unless a new approach to criminal justice is found,” Mr McConnel said.

The Law Council President will chair a forum entitled *Putting the brakes on incarceration* at the [National Access to Justice and Pro Bono Conference](#) in Sydney this month. The panel – which will include Dr Don Weatherburn PSM, Director, NSW Bureau of Crime Statistics & Research; Mr Rob Hulls, Director, Centre for Innovative Justice at RMIT; Mr Shane Duffy, Chair, National Aboriginal & Torres Strait Islander Legal Services; and Andrew Meehan, National Director, ANTaR – will critically examine the costs, benefits and alternatives to incarceration.

Mr McConnel said this week is also an ideal time to add momentum to the current push for indigenous constitutional recognition.

“The bipartisan summit of indigenous leaders recently announced by the Prime Minister is a welcome step,” Mr McConnel said.

“Australia is ready to complete the constitution. Aboriginal and Torres Strait Islander Australians need a place of respect in our nation’s founding document,” Mr McConnel concluded.

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