

27 October 2016

ALRC Indigenous incarceration inquiry a vital step in addressing this national catastrophe

The Law Council of Australia today threw its support behind the Federal Government's decision to ask the Australian Law Reform Commission (ALRC) to inquire into the catastrophic levels of Indigenous incarceration in Australia.

The Law Council has been a leading advocate for constructive action to address the Indigenous imprisonment crisis, which has been steadily worsening since the Royal Commission into Aboriginal Deaths in Custody shocked the nation in 1991.

Law Council of Australia President, Stuart Clark AM, said the Government's decision to refer Indigenous incarceration to the ALRC was timely and important.

"For far too long Australia has failed to address Indigenous incarceration with sufficient urgency," Mr Clark said.

"As a result we have seen Indigenous imprisonment rates skyrocket. Twenty five years ago Indigenous peoples were being imprisoned at seven times the rate of the broader population, today it's 14 times. This is nothing short of a national catastrophe.

"Indigenous people represent just 2.5 per cent of the population, but 27 per cent of the prison population. Indigenous children represent 50 per cent of those in juvenile detention," Mr Clark said.

In November last year the Law Council brought together some of the nation's leading Indigenous thinkers and Australian jurists for the Indigenous Imprisonment Symposium, which identified a range of reform measures including justice targets, better data collation, and the urgent reform of laws with a disproportionate effect on Indigenous people.

"One of the clear findings of the Law Council's Indigenous Imprisonment Symposium was that until governments commit to evidence-based measures Indigenous incarceration will continue to grow," Mr Clark said.

"Bringing the issue under the microscope of the ALRC is a significant development and thoroughly welcome.

"The Law Council will be offering its suggestions to assist the development of the terms of reference to the ALRC's inquiry. This issue will remain an ongoing priority for the Law Council in 2017 and beyond.

"The inquiry is an important opportunity to devise concerted policy solutions to address this urgent and ongoing crisis," Mr Clark said.

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