

Time to act on youth custody shame

National disgrace says report.



IN JUSTICE: Incarceration rates too high for Indigenous youth

The rising number of Indigenous youth languishing in custody has been labelled a national disgrace by a parliamentary inquiry which has called on all governments to act urgently to reverse the trend.

The assessment is made in the report *Doing Time – Time for Doing* by the House of Representatives Aboriginal and Torres Strait Islander Affairs Committee.

The inquiry into Indigenous youth and the criminal justice system received 110 submissions and held 18 public hearings before releasing its 40 recommendations, which include:

- making sure those granted bail have a place to go so they do not remain locked up;
- the adoption of justice targets as part of the Closing the Gap strategy;
- cultural awareness training for police;
- a national program to provide local mentors to youth at risk;
- increased funding for substance abuse programs;
- comprehensive health screening for those in custody;
- consideration of options to increase the number of Indigenous people in federal parliament;

- finding ways to encourage Indigenous people to obtain their birth certificate and register births; and
- hearing tests for all Indigenous preschool children.

Indigenous youths are 28 times more likely than non-Indigenous Australians to be held in custody. In 2007, 59 per cent of juveniles in detention were Indigenous.

Between 2000 and 2009 the total number of Indigenous people in prison increased by 66 per cent.

Indigenous people make up a quarter of prisoners, but only 2.5 per cent of the Australian population.

Committee chair Shayne Neumann (Blair, Qld) said the statistics are damning.

“Sadly the incarceration rates for Indigenous young people have gotten worse – this is a national shame, a national tragedy and a national disgrace,” he said.

“It’s happened on the watch of governments of both political persuasions.”

Committee deputy chair Sharman Stone (Murray, Vic) said an enormous amount of work needed to be done to turn the situation around.

“I don’t know if there’s any other country with such escalation in incarceration amongst their indigenous population,” she said.

“We just have to make a difference because we can’t keep having this escalation that is basically a human tragedy.”

The committee noted many of the underlying factors identified as contributing to the problem, such as violence, family dysfunction, and access to education, were already identified by the royal commission into Aboriginal deaths in custody 20 years ago.

The report said a large proportion of juveniles on remand will not be sentenced to custodial penalties but are in detention because they cannot meet increasingly strict bail conditions.

The committee received a large amount of evidence showing bail laws are having a serious impact on the incarceration of young Indigenous people and is concerned some are not granted bail because there is nowhere suitable for them to stay.

It recommended that there should be increased funding to provide better accommodation options for those granted bail.

The committee also heard evidence that a significant number of Indigenous people do not have a birth certificate and this stops them from becoming employed, getting a driver’s licence, opening a bank account or applying for a loan.

It has called on the federal government to find ways to encourage more Indigenous people to get their birth certificate and register newborn babies.

The committee also wants an independent commission established to investigate ways to get more Indigenous people into parliament.

It noted that while it is not an issue directly impacting on the reasons behind the over-representation of Indigenous youths in detention, more Indigenous people needed to be part of key decision making. •

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www.aph.gov.au/atsia
atsia.reps@aph.gov.au
 (02) 6277 4559