



Smarter Justice. Safer Communities.

A close-up, profile view of a young child with dark skin and curly hair, wearing a red shirt. The child is looking upwards and to the left with a thoughtful expression. The background is a blurred blue perforated surface.

# ELECTION PRIORITIES STATEMENT 2016

Change the Record Coalition

# Background

**Today being placed in prison, or being the victim of violence, is an all too common experience for Aboriginal and Torres Strait Islander people.**

Aboriginal and Torres Strait Islander Australians are 13 times more likely to be in prison than non-Indigenous people and account for 27% of the prison population<sup>1</sup>. The situation is even worse for young people who are 24 times more likely to be imprisoned than non-Indigenous youth<sup>2</sup>, and Aboriginal and Torres Strait Islander women who represent the fastest growing group of prisoners in the nation. Despite comprising only 2% of the national population, Aboriginal women now represent more than one third of the prison population<sup>3</sup>, and numerous studies have highlighted that many Aboriginal and Torres Strait Islander women who are in prison are a victim/survivor of family violence<sup>4</sup>.

Aboriginal and Torres Strait women and children are also being disproportionately affected by violence. Aboriginal and Torres Strait Islander women 34 times more likely to be hospitalised as a result of family violence than non-Indigenous people<sup>5</sup>, and 10 times more likely to die from violent assault than other women.<sup>6</sup>

Over-imprisonment, and violence against women, are both national crises. This is having a devastating impact on Aboriginal and Torres Strait Islander communities, and is also harming the broader Australian community both socially and economically. Without targeted and evidence based action the situation will only continue to worsen. An immediate national response is required.

A national, holistic and whole-of-government plan led by the Commonwealth Government is urgently needed, with a focus on identifying the services that are required, outlining concrete actions to be taken by all levels of government, and setting goals to measure progress against. Any national approach needs to be underpinned by the knowledge and experience of Aboriginal and Torres Strait Islander communities, their organisations and representative bodies, who have the expertise to drive the solutions to address these concurrent and closely linked national crises.

In the lead up to the 2016 Federal Election, Change the Record seeks a commitment from all parties to make addressing over-imprisonment, and the disproportionate rates of violence experienced by Aboriginal and Torres Strait Islander women and children, a national priority, by:

- 1. Committing to a national evidence-based action plan;**
- 2. Resourcing Aboriginal and Torres Strait Islander communities; and**
- 3. Prioritising investment in early intervention and prevention strategies**

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1 Australian Bureau of Statistics (2014) *Prisoners in Australia 2014*, Cat. no. 4517.0. Canberra: Australian Bureau of Statistics (2014), *Corrective Services Australia, December Quarter 2014*, Cat. no 4512.0 Canberra.

2 Australian Institute of Health and Welfare, Commonwealth Government, *Youth Detention Population in Australia* (2014) vii.

3 Australian Institute of Criminology, 2010, 'Data On Prisons', available at: [www.aic.gov.au/publications/current%20series/rpp/100-120/rpp107/06.html](http://www.aic.gov.au/publications/current%20series/rpp/100-120/rpp107/06.html)

4 Data drawn from a 2004 study. See, Smart Justice, *Factsheet: more prisons are not the answer to reducing crime*, 2011, page 2 [www.smartjustice.org.au/resources/SJ%20Factsheet%20Prisons%202011.pdf](http://www.smartjustice.org.au/resources/SJ%20Factsheet%20Prisons%202011.pdf) and cited in Victoria Equal Opportunity and Human Rights Commission, *Unfinished Business - Koori women and the justice system*, 2013, page 29 [www.humanrightscommission.vic.gov.au/media/k2/attachments/Unfinished\\_business\\_-\\_Koori\\_women\\_and\\_the\\_justice\\_system.pdf](http://www.humanrightscommission.vic.gov.au/media/k2/attachments/Unfinished_business_-_Koori_women_and_the_justice_system.pdf)

5 The Australian Productivity Commission, *Overcoming Indigenous Disadvantage - Key Indicators 2014*, 2014, page 4.93, table 4A.11.22 available at [www.pc.gov.au/research/ongoing/overcoming-indigenous-disadvantage/key-indicators-2014/key-indicators-2014-report.pdf](http://www.pc.gov.au/research/ongoing/overcoming-indigenous-disadvantage/key-indicators-2014/key-indicators-2014-report.pdf)

6 Australian Institute of Health and Welfare, *Family Violence among Aboriginal and Torres Strait Islander people*, 2006, page 66 available at [www.aihw.gov.au/publication-detail/?id=6442467912](http://www.aihw.gov.au/publication-detail/?id=6442467912)

# (1) Commit to a national evidence-based action plan

A national evidence-based plan, and the setting of agreed national goals, is vital to driving coordinated policy action to address disproportionate imprisonment rates, and the high rates of violence experienced by Aboriginal and Torres Strait Islander women and children.

A national plan would outline the services that are required, with a focus on investing in building the capacity of services that are working and identifying additional services and programmes that are urgently needed. In addition, a national plan would contain concrete steps to be undertaken by all levels of government and be developed in consultation with Aboriginal and Torres Strait Islander people, their organisations and representative bodies.

In order to be effective, any national plan needs to be underpinned by a strong accountability mechanism. As a result, the Change the Record Coalition views the setting of justice targets by the Council of Australian Governments (COAG) as critically important. Currently the Safer Communities Building Block of the COAG Closing the Gap Strategy is the only area that is not accompanied by any specific targets. This is a clear gap and fails to acknowledge the root causes of imprisonment and violence rates, including social determinants such as poverty and socio-economic disadvantage.

In addition, relevant data relating to family violence, and contact with the justice system, is currently not consistent and reliable across states and territories. This means there are significant gaps in available information that would assist policy makers to respond effectively to these issues. Consistent data sets are essential to developing and supporting the implementation of evidenced-based solutions. The Commonwealth Government must play a lead role in capturing and monitoring data across all state and territory jurisdictions.

Improvements to the collection of relevant data is in the interest of all of us, as it will facilitate informed decisions about how resources are best allocated to design and implement measures to reduce imprisonment rates, and reduce the high rates of violence experienced by Aboriginal and Torres Strait Islander people, particularly women and children. It will also assist the Australian Government to monitor and address any indirect discrimination in the effect of justice laws, policies and programs relating to Aboriginal and Torres Strait Islander people

## ***This election, Change the Record calls on all parties to commit to:***

- Work through COAG to establish a national, holistic and whole-of-government plan to address imprisonment and violence rates.

*This plan should contain a concrete implementation plan and build on the National Indigenous Law and Justice Framework 2009-2015. In addition, the plan should be linked to related areas of COAG reform including the National Framework for Protecting Australia's Children 2009-2022 and the National Plan to Reduce Violence Against Women and their Children 2010-2022.*

- Establish, or task, an independent agency with Aboriginal and Torres Strait Islander oversight to co-ordinate a comprehensive, current and consistent approach to data collection and policy development relating to Aboriginal and Torres Strait Islander imprisonment and violence rates.
- Work through COAG to set the following justice targets, which are aimed at promoting community safety and reducing the rates at which Aboriginal and Torres Strait Islander people come into contact with the criminal justice system:
  - Close the gap in the rates of imprisonment between Aboriginal and Torres Strait Islander and non-Indigenous people by 2040;
  - Cut the disproportionate rates of violence against Aboriginal and Torres Strait Islander people to at least close the gap by 2040, with priority strategies for women and children.

## (2) Resource Aboriginal and Torres Strait Islander communities

People on the ground are best placed to identify local issues in their community and, more importantly, implement those local solutions. Aboriginal and Torres Strait Islander community controlled organisations have the unique capacity to provide culturally appropriate services, and are able to develop localised, tailored and cost-effective solutions that have the support of the community.

Any national plan to close the gap in imprisonment rates, and cut disproportionate rates of violence, needs to be adequately resourced and accompanied by sufficient mapping and funding of services.

### ***This election, Change the Record calls on all parties to commit to:***

- Support capacity building, and provide ongoing resourcing of Aboriginal and Torres Strait Islander communities, their organisations and representative bodies to ensure that policy solutions are underpinned by the principle of self-determination, respect for Aboriginal and Torres Strait Islander people's culture and identity, and recognition of the history of dispossession and trauma experienced by many communities.
- Ensure that laws, policies and strategies aimed at, and related to, reducing Aboriginal and Torres Strait imprisonment and violence rates are underpinned by a human-rights approach, and have in place a clear process to ensure they are designed in consultation and partnership with Aboriginal and Torres Strait Islander communities, their organisations and representative bodies.
- Work in partnership with Aboriginal and Torres Strait Islander communities, their organisations and representative bodies to support the identification and development of place-based justice reinvestment trial sites.

### (3) Prioritise investment in early intervention and prevention strategies

Evidence clearly demonstrates that strong, healthy communities are the most effective way to prevent crime and make communities safe. Prisons have been shown to be extremely costly, damaging and ultimately ineffective at reducing crime. Every dollar spent on prisons is one less dollar available to invest in reducing social and economic disadvantage through education, health, disability, housing, employment and other programs. Government funding must be reinvested into early intervention, prevention and diversion initiatives that are targeted at addressing the underlying causes of crime and keeping communities safe.

#### *This election, Change the Record calls on all parties to commit to:*

- Invest in early intervention and prevention services commensurate with need, with priority for services that are Aboriginal and Torres Strait Islander community controlled.

*This should include a focus on:*

- *Support for the development of holistic, integrated community-controlled early years' child and family services in all communities in need, and investment in culturally strong and intensive family support services.*
  - *Increasing access to culturally-appropriate early intervention and support programs, with a focus on:*
    - *Family violence*
    - *Voluntary drug and alcohol issues;*
    - *Mental health issues;*
    - *Employment and training; and*
    - *Support for people with a disability*
  - *Funding for the development of culturally-appropriate early intervention and prevention programs targeted specifically at women experiencing multiple needs (e.g. family violence, substance abuse and mental health issues).*
  - *Providing legal assistance services including Aboriginal and Torres Strait Islander Legal Services (ATSILS), Family Violence Prevention Legal Services (FVPLSs), Community Legal Centres (CLCs) and Legal Aid Commissions with funding to meet the civil, family and criminal legal needs of Aboriginal and Torres Strait Islander people, with priority for services that are Aboriginal and Torres Strait Islander community controlled.*
- Implement economic development and poverty reduction strategies designed by Aboriginal and Torres Strait Islander people, and supported by governments, to increase employment opportunities. This should be complemented by a robust social safety net, including the provision of adequate basic income support.



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