

Closing the Hidden Gap - 3 Jul 2009

Gino Vumbaca, *3rd July 2009*



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At a time when the country is asking itself difficult questions on whether racism was the basis of attacks against international students studying in Australia; and a coronial inquest in Western Australia has released horrific details on the death of an Indigenous detainee being transported in searing heat in the back of an ill equipped transport van, an important paper on the appallingly high number of Indigenous people in our prisons was released this week at Parliament House.

The figures in the National Indigenous Drug and Alcohol Committee paper show that Indigenous people make up an estimated 2-3% of the population in Australia; more than 50% of juveniles in detention centres today are Indigenous. Indigenous women make up over 30% of all adult female prisoners in Australia and Indigenous men make up 24% of all adult male prisoners in this country. In NSW, with a prison population of over 10,000 prisoners at least 20% are Indigenous.

As tragic as these figures are on their own, even worse is what they represent - a real failure of our society to come to grips with this epidemic of incarceration Indigenous people. Years and years of hand wringing about the over representation of Indigenous people in our justice system has virtually come to nothing. The gap between Indigenous and non-Indigenous people coming before our justice system and into prison continues to increase year after year, inquiry after inquiry. It is far from a system that could be called 'just' if you are Indigenous.

For a long time many commentators in this country have been quick to point the finger at the awful number of African-Americans in US prisons. Reports from the Pew Centre in the USA that as many as one in nine black males aged between 20 and 34 is behind bars are shocking, but what is happening in Australia is not really much different if you are Indigenous.

In both countries we see a substantial proportion of people in prisons as a result of their substance misuse. Data from the Australian Institute of Criminology shows over 68% of Indigenous adult police detainees test positive to a range of drugs. The links between substance misuse and crime are clear to see but our response is not.

It is difficult to attribute such an emotive term like racism as the reason why Indigenous people are being treated so differently in the justice system. The overwhelming number of people working in the police, courts and prisons work hard at doing their jobs to protect the community and reduce reoffending, however the justice system as a whole for Indigenous people is simply broken. There are always well intentioned attempts to fix the system for Indigenous people but in reality they are just tinkering at the edges. As NIDAC has pointed out in its paper, the solutions needed now involve a major rethink. It's time to take on board more deep rooted radical approaches such as providing every young Indigenous person with their own education trust fund to increase their participation and retention within the education system, as well as establishing a nationwide network of Indigenous-specific and controlled residential rehabilitation centres for courts to utilise as an alternative to prisons.

When you consider that it's costing taxpayers over \$250 per day for each prisoner and hundreds of millions of dollars more each year to build new prisons when the result in NSW is a reoffending rate of well over 50%; it's easy to see why prisons are an ever increasing drain on the public purse for little gain. This is particularly so for Indigenous people where juvenile detention centres and prisons have inadvertently become the biggest single investment made by states and territories to address substance misuse problems amongst Indigenous people. It represents a shameful outcome and waste of resources, as well as a lack of insight and innovation to addressing the problems. The impact of alcohol, drugs and trauma on Indigenous people is simply not resolved by 'locking them up' as many politicians are want to say – in fact it is far more likely to worsen the problem. The lack of common sense is further evident when the cost of residential rehabilitation based treatment in comparison would only cost the taxpayer less than a \$100 a day and provide far better outcomes.

Australians react strongly when claims of racism are made, but our distaste of such thoughts should not distract us from the need for a clear and focused inspection on the way our justice system works and whether institutional racism has become entrenched in this country.

Closing the gap between Indigenous and non-Indigenous life expectancies has been a welcome initiative of the Rudd Government and state and territory governments can greatly assist in achieving this goal by rethinking the treatment of Indigenous people by their criminal justice systems.

As Professor Ted Wilkes, the NIDAC Chair says "Indigenous offenders face many issues that can exacerbate their health while in detention or prison. Separation from family and culture, together with a previous history of an undiagnosed or untreated substance misuse, mental health or physical health problem places an Indigenous offender at great risk. It is so important we invest wisely in preventing and reducing the cycle of offending and re-offending"

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