

## Tough law and order policies aren't working - 24 Dec 2009

Mr Gino Vumbaca - The Sydney Morning Herald



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At this time of the year, when cards and emails inundate us with messages of goodwill to all, wouldn't it be pleasing if it wasn't just all talk. This Christmas there will literally be thousands of children in Australia destined to spend the day filled with the pain and shame of having one, and in some cases, both of their parents in prison.

As the election cycle plays out over the next 18 months for a number of state governments, there is always the hope they may actually take a law-and-order agenda to the electorate that is based on common sense and evidence rather than on fear and loathing. Political parties putting forward ways to stop the ever-increasing number of people filling our prisons would be a good way to start 2010.

Let me clear that I am not advocating the closure of all prisons. I have spent many years working and visiting prisons here and overseas where I have met many people that clearly need to be in prison for the safety of the community. Prisons will always be part of any solution to deal with dangerous and violent people. The reality is though that these people are in the minority. The majority of people sent to prison benefit little if anything from the experience and are far more likely to leave more damaged and more of a danger to the community than they ever were before.

The latest figures from the ABS show trends that demand the attention of our politicians and the rest of us that pay for the decisions they make.

In just the past 12 months the number of prisoners in Australia has increased a further 6 per cent meaning that close to 30,000 people are languishing in prisons today. A closer look reveals that the number of indigenous prisoners has increased even further to one in four prisoners. It is simply an appalling situation. Indigenous people are now 14 times more likely to be imprisoned or if they happen to live in Western Australia, 20 times more likely.

We spend a lot of money to lock people away and the results or return on our investment are far from impressive with more than half of today's prisoners being classified by the ABS as returning customers. In some way the result is not surprising given that so little comparatively is invested in programs to help people when they leave prison. This is exacerbated by the fact that significant proportions of prisoners have substance misuse problems, mental health problems, varying disabilities and have been victims of assault and sexual abuse.

Our imprisonment rate puts us up there with many Eastern European countries as well as Mexico and Turkey but thankfully still well behind the great incarcerators: the US, Russia and China. So there is still hope.

If we look at the US, where the art of incarceration has been taken to new heights, we see a glimpse of Australia's future if we don't act now. A report from New York State shows that it costs more than \$US200,000 a year to incarcerate each juvenile offender. While in other states, efforts to reduce costs across the system by reducing the prison population are being thwarted by an unlikely alliance between powerful corporations and unions with a vested interest in having an ever-increasing prison population.

Identifying the problems is the easy part, it's coming up with the answers that often prove too difficult, but it may be simpler than imagined. It will, however, take the courage of some and the willingness of many, to debate, listen and understand how to turn things around from this economically and socially unsustainable approach in place today.

As a start we should just stop spending hundreds of millions of dollars each year building more and more prisons – the evidence is clear and simple; if we build them, we will fill them.

The next step is to increase the sentencing options for courts by investing these prison savings into a lot more community-based treatment programs and facilities, particularly residential centres for indigenous people, women and young people.

Another important step is to reduce the size of our prisons. The bigger they are the more unlikely it is for staff to know, or have clear responsibility, about what is happening. Smaller prisons are far easier to control and manage than is possible in the super-sized prisons spawned by the prison building industry.

We also need to revisit why security staff are accepted as the only people that can run prisons. If we are looking to reduce the number of prisoners returning then there is a good argument to open up these roles to a broader range of professions and skills.

Most importantly though, there needs to be a commitment to use prisons as a last resort. The statements made by former NSW premier Nathan Rees and many others to support a three-month prison sentence given to a young 18-year-old female first-time offender for graffiti earlier this year is a perfect example of our dangerous overuse of prisons. <http://www.smh.com.au/news/national/graffiti-jail-term-appropriate-rees/2009/02/03/1233423184569.html> Cheyene Back won an appeal against the harshness of her sentence, but it does not mitigate the initial overreaction to the offence. <http://www.smh.com.au/national/graffiti-girl-wins-appeal-against-jail-20090304-8nxd.html>

Good will can make very good sense at times, if we give it a chance.

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