

Jail rates soar in states and territories, statistics show

Victoria and Queensland preside over the greatest rise in imprisonments, as other jurisdictions jump to 10-year highs, according to the Bureau of Statistics



The rate of imprisonment in Victoria and Queensland has increased dramatically since last year, figures show. Photograph: Alamy

By Nick Evershed, Oliver Milman, Helen Davidson and Joshua Robertson
Friday 12 December 2014

The rate of imprisonment in Victoria and Queensland has increased dramatically since last year, according to new figures, with other states and territories jumping to 10-year highs.

Statistics released by the Australian Bureau of Statistics (ABS) show large increases in the rate per 100,000 of the adult population with Victoria jumping 12% and Queensland 14% since 2013.

Since 2004, the largest increases by state and territories have been the Northern Territory (64%), South Australia (49%), and Victoria (42%).

Law reform advocates said Victoria's prison population increase over the past decade was fuelled by the policies of the state Coalition government, which lost power in the 29 November election.

Over its four-year term, the Coalition scrapped suspended sentences, announced a crackdown in the parole system and instituted a raft of minimum sentence laws.

Liana Buchanan, executive officer of the Federation of Community Legal Centres, said "simplistic law and order policies" had contributed to soaring incarceration rates.

"If the rationale for rising prison populations is to make the community safer, we know that's not happening," she said. "More people than ever are reoffending and crime is going up.

"The impact is more and more people in a prison system that's overcrowded and in crisis, making the community less safe at a huge financial cost. We need governments to pay attention to the evidence – while prison is necessary if there's an immediate risk to the community, if it is overused it means crime actually gets worse.

"We need more community-based solutions, much stronger rehabilitation and problem solving courts. We also need to review the sentencing changes that have been brought in."

South Australia has experienced the second-largest rise in imprisonment rates since 2004.

Morry Bailes, president of the Law Society of South Australia, said the state's rising prison population was largely down to prosecution priorities and court processes.

The South Australian government has removed the time limit to prosecute sex offenders, meaning that a raft of historical sex abuse cases are coming to court.

Meanwhile, a crackdown on outlaw motorcycle gangs has resulted in cases involving bikies to be prioritised above those of other types of alleged criminals.

“Once you bring in those priorities, a lot of other matters get bumped and if you are refused bail you sit on remand for all that time,” Bailes said.

“About a third of our prison population are remandees, which has a significant impact upon our numbers. The prison population went up by 10% in 2013 which stunned us and we’re almost disbelieving at the rate this time around.”

Bailes said that while South Australia should be praised for not implementing mandatory sentencing, it needed to reform its remand system.

“We need to look at that high remand population and deal with people more efficiently,” he said.

“We could deal with people more imaginatively than making them sit in a cell for a month. We need to ask whether that’s the best thing for the community, as well as for them and their families.”

In the Northern Territory, imprisonment rates have increased by more than 64% in the last 10 years. At the beginning of this year the NT prison system was at around 130% capacity.

Among Aboriginal and Torres Strait Islander people, who make up around 29% of the state’s population but almost 90% of the prison population, incarceration has more than doubled, rising by 103.89%.

Jonathon Hunyor, principal legal officer at the North Australian Aboriginal justice agency (Naaja), said the Northern Territory had a “culture of mass incarceration.”

“The government response to a whole range of complex social issues is to lock people up,” Hunyor told Guardian Australia.

Advertisement

He said a range of territory government policy around criminal justice had likely contributed to the dramatic increases, the most obvious of which was continued and new forms of mandatory sentencing, which the United Nations committee against torture recently said should be abolished.

Alcohol protection orders, mandatory alcohol treatment and the recently legislated system of paperless arrests had and would result in more people being picked up, Hunyor said. “It’s a snowball effect.”

“The more contact Aboriginal people have with police, the more likely they are to go to prison, and the more likely they are to go to prison again. One of the things we know is that prison is criminogenic – it causes crime.

“And so the more people go to jail and the more often they are the subject of punitive regimes, the worst that problem is going to get.”

The Queensland Council for Civil Liberties president, Michael Cope, said in the 10 years since 2004, Queensland had “bucked the general trend” in Australia towards increased imprisonment, but this had changed in the past year.

“Despite the clear existing trend for crime rates to fall in the past year the prison population in Queensland has skyrocketed, no doubt at considerable expense to the taxpayer,” he said.

“In addition, colleagues in the [legal] profession ... report that clients have been sleeping on floors in overcrowded cells – the entirely predictable consequence of law and order type policies.”