

Pat Dodson demands Australia improve its high rates of Indigenous incarceration

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MARK COLVIN: On the 25th anniversary of the Royal Commission into Aboriginal Deaths in Custody, one of the commissioners has called the ratio of Indigenous people in jails in Australia disgraceful.

The Aboriginal leader Pat Dodson, now a Labor Senate candidate, addressed the National Press Club in Canberra today on events since the commission released its 339 recommendations.

He says the problem the commission was set up to examine has become worse. In particular, recommendations to jail Indigenous people only as a last resort have not been effectively put into practice.

Political correspondent Louise Yaxley.

LOUISE YAXLEY: Federal Labor has chosen Pat Dodson as a Senator for Western Australia to replace Joe Bullock, who unexpectedly retired last month.

He's yet to be sworn in, but says he is not too worried.

PAT DODSON: These things take some time, and I suppose when you get to my age, you're not necessarily trying to do the 100-yard sprint in 10 seconds. And there are many things to be done, and they're not necessarily going to be all done in these particular sittings.

So I'm not impatient about that.

LOUISE YAXLEY: But he is impatient about the increasing rate of Indigenous people being jailed.

PAT DODSON: We Aboriginal peoples, Indigenous peoples, are being imprisoned at a rate that is a staggeringly 13 times higher than that for non-Indigenous people, and unfortunately that rate appears to be accelerating.

For Indigenous women, the rate of imprisonment is increasing even faster. A 74 per cent increase in the past 15 years. One in every three women in Australian jails is Indigenous.

LOUISE YAXLEY: Pat Dodson noted that the lessons of the past have not been learned.

PAT DODSON: Certainly one has to wonder what happened to the principle of imprisonment as a last resort, and the 29 recommendations relating to this issue. A quarter of a century after we handed down our findings, the vicious cycle remains the same.

LOUISE YAXLEY: In fact he says the laws have been changed, with the impact being more people are jailed.

PAT DODSON: Mandatory sentencing, imprisonment for fine defaults, paperless arrest laws, tough bail and parole conditions, and punitive sentencing regimes certainly haven't helped. Neither do funding cuts to frontline legal aid services.

LOUISE YAXLEY: He says there have been some improvements.

PAT DODSON: Some exceptions to this bleak picture, notably the reduction in hanging deaths due to the removal of fixture points in the cells.

There are pockets of things happening. In Victoria for instance, Koori courts are operating, you know, they're not... they're making a difference, and many of the justices are grappling with this. New South Wales as well are grappling with this.

Unfortunately, out in Bourke, where one of those justice reinvestment program's happening, there's no investment from the state in that. Private enterprise, or private philanthropic groups are supporting it.

LOUISE YAXLEY: Mr Dodson praises the idea of justice reinvestment.

PAT DODSON: Such approaches suggest that underproductive expenditure on prisons should instead be invested in programs at the front end that aim to reduce crime and prevent people entering the criminal justice system.

Building more jails and enabling laws that ensure the incarceration rates of Indigenous peoples is not the solution, and certainly not a good use of the taxpayer's money. I'm interested in the \$2.5 billion that the Red Cross reckons you could save if you get 2 per cent of the incarceration rates down.

If you could work on that in a realistic way and recoup that money and then direct that back into health and education programs to avoid incarceration and avoid criminal justice matters, I'd be very interested in that.

LOUISE YAXLEY: But the soon-to-be politician says it comes down to a political solution.

PAT DODSON: The nexus between law and politics is the difficulty, and the politicians are the ones that are accountable in this instance. Because if they make bad laws or laws that enable these high levels of incarceration, and there has to be political remedies for that.

LOUISE YAXLEY: Mr Dodson is heading to the Senate for Labor but says it needs a bipartisan approach.

PAT DODSON: You have people in the parliament who belong to different tribes, and I said at one stage that I'm not that interested at trading tribalism

from Indigenous affairs to tribalism in the whitefellas' arenas, and their particular brand of warfare.

I'd be very, very interested, and I am interested, and I've certainly had this discussion with Bill and other people in the Labor Party, to look at how we can collaborate on key matter like incarceration rates.

There should be no question about us finding a collaborative mechanism to reduce those incarceration rates for the betterment of our nation.

LOUISE YAXLEY: And he argues it should get urgent attention.

PAT DODSON: You've got the Parliament being recalled to deal with legislation on trade unions. Well it should be being recalled in my view to deal with these appalling custody rates for the first peoples of this country, and to set their minds as to how best to find better ways to reduce them.

MARK COLVIN: Pat Dodson ending Louise Yaxley's report.