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Aboriginal jail rates rise 50 per cent; Prison rehabilitation programs fail to acknowledge Indigenous needs

Bianca Hall Legal affairs August 24, 2016

The jail rate for Aboriginal Australians has increased by an alarming 52 per cent over a decade.

But Indigenous people are missing out on rehabilitation programs that could help them avoid returning to prison because they are not being locked up for long enough to qualify, or cannot access culturally appropriate services.

New research suggests this pattern has become a self-fulfilling prophecy: prisoners who miss out on rehabilitation are more likely to reoffend, and contribute to Australia's burgeoning national crime rate.

Indigenous prisoners - who comprise almost a third of the Australian prison population - are particularly at risk of reoffending, the research shows.

Worse, the report highlights research that shows prison rehabilitation programs that "fail to acknowledge language, culture, traditions and current life situations of Indigenous offenders are unlikely to be effective and could also contribute to further offending".

The report, titled Efficacy, accessibility and adequacy of prison rehabilitation programs for Indigenous offenders across Australia and co-authored by Australian National University academics Clarke Jones and Jill Guthrie, will be launched this week at a national conference in Alice Springs on Indigenous justice.

The conference comes after revelations of abuses against Indigenous youths in juvenile justice facilities in Queensland and the Northern Territory, and as the Royal Commission into the Detention of Children in the Northern Territory prepares to hold its first hearings next month.

Dr Jones said the abuses in juvenile justice facilities against Indigenous youth, such as those highlighted by the ABC's Four Corners program, represented the start of a cycle of incarceration and reoffending for many Indigenous prisoners.

"The way these youths are being treated at these juvenile justice facilities contributes to the problem," he said.

Aboriginal prisoners comprised 27 per cent of the prison population last year, the Australian Bureau of Statistics said. At the 2011 census, Indigenous people comprised just 3 per cent of the total population.

Dr Jones said authorities had barely changed the way they tackled Indigenous offending in 25 years. "Basically, around Australia we're seeing this steady increase of Indigenous incarceration, so I would argue that very little has been done since [the 1991 Royal Commission into Aboriginal Deaths in Custody] to improve the situation." Dr Jones and Dr Guthrie recommended that more efforts be made by states and territories to divert Indigenous offenders from prisons.

They also recommend that prison rehabilitation programs be made available, where possible, to prisoners serving short sentences, and that programs targeting Indigenous prisoners be culturally sensitive and appropriate.

They said they made repeated attempts to secure the support of the Corrective Services Administrators' Council to have authorities across Australia share data about how many prisoners were accessing rehabilitation programs in different states and territories, but these attempts were unsuccessful.