

Patrick Dodson says Indigenous incarceration rate an 'utter disgrace'

Labor Senate candidate urges 'smarter' justice, saying legal system exploits Aboriginal and Torres Strait Islanders



Patrick Dodson says the number of Indigenous people in jail has doubled since the findings of a royal commission into deaths in custody 25 years ago.

By Shalailah Medhora

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Australia's legal system is a "despised processing plant" that exploits vulnerable Indigenous people and propels them towards a broken and bleak future, the Kimberleys Indigenous leader turned Labor politician Patrick Dodson has said.

Dodson addressed the National Press Club in Canberra on Wednesday, lamenting the fact that the number of Indigenous people in jail has doubled since the release of the findings of a landmark royal commission into deaths in custody 25 years ago.

"The current incarceration of Indigenous people are a complete and utter disgrace," Dodson said. "Accepting that permits the criminal justice system to continue to suck us up like a vacuum cleaner and deposit us like waste in custodian institutions.

"I would hope that we are better than that. We must be better than that. There is no choice here."

He noted that the number of women imprisoned has increased 74% in the past 15 years.

“The statistics speak for themselves and the cold, hard fact remain an indictment on all of us,” Dodson said.

“For the vast bulk of our people, the legal system is not a trusted instrument of justice. It is a feared and despised processing plant that propels the most vulnerable and disabled of our people towards a broken, bleak future. Surely as a nation we are better than this. We need a smarter form of justice that takes us beyond a narrow-eyed focus on punishment and penalties.”

Dodson, who in March was revealed as Labor’s candidate to fill a Senate vacancy left when Joe Bullock resigned, backed the party’s push for justice reinvestment.

Justice reinvestment is when money earmarked for keeping people in jail is diverted to community programs that prevent offending in the first place. Labor has committed to implementing three trial sites to assess the program’s effectiveness.

Despite hoping to enter politics soon, Dodson gave politicians a serve over their inability to curb the growing Indigenous incarceration rate.

A focus on law and order measures and ensuring legislation like mandatory sentencing and Northern Territory’s paperless arrest warrants have seen more Aboriginal and Torres Strait people thrown in jail, Dodson said.

“This rhetoric and the political thinking behind it has authored the criminalisation of many of our people,” he said. “Twenty-five years ago police were the odium of the Indigenous public but today it’s the legislators.”

Dodson vowed to let the party know in no uncertain terms if he disagrees with policy, especially policy that relates to Australia’s first peoples.

“I think my position will be well heard in caucus and the arguments will be fought and won on that floor,” he said. “It’s a democracy. No one has tried to gag me yet.”

He said he “very opposed” to using moral issues for “political expediency” but he left leeway for compromise on other matters.

“There’s a learning process what I’m saying with these things, and you can’t just have a fixated view on every matter,” Dodson said.

Dodson's presence in the Senate has been delayed due to the timing of Bullock's resignation. Bullock said he would leave the party in March due to Labor's decision to make any future vote on same-sex marriage binding after two election terms.

But Bullock did not resign until Wednesday, bringing into doubt his ability to be formally endorsed for the vacancy before parliament resumed on Monday. The Western Australian parliament must formally appoint Dodson for the position, but it has risen for a four-week break.

On Wednesday afternoon, the WA premier, Colin Barnett, announced that he would call a special joint sitting of state parliament to endorse Dodson.

"We'll have to bring parliament back. I'll be relying on the support of all members of parliament to do that," the premier said.

"If we come back, it will simply be for that purpose. It will not be a normal sitting day," he said. "Probably all done and dusted in an hour."