

Bill Shorten: The injustice dealt to Indigenous people is a stain on our whole nation

[Bill Shorten](#)

A Shorten Labor government will work on co-operative justice targets in concert with Indigenous elders to break the cycle of offending and incarceration



‘Nowhere is the story of unfairness and diminished opportunity more clearly defined than in the justice gap between the first Australians and the rest of us.’ Photograph: Tony Phillips/AAP

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It’s best to start with the straight facts.

Half of the young people in juvenile detention are Aboriginal and Torres Strait Islander people. 2% of our population makes up more than a quarter of our prison population. An Aboriginal man leaving school is more likely to go to jail than university.

Nowhere is the story of unfairness and diminished opportunity [more clearly defined](#) than in the justice gap between the first Australians and the rest of us.



The appalling rate of incarceration among Aboriginal and Torres Strait Islander peoples, demands we create justice targets under the Closing the Gap framework.

Targets that allow us to focus on community safety, preventing crime and reducing incarceration. Less crime and less punishment. From family violence, to incarceration rates, the numbers are simply shocking.

If you are an Aboriginal man, you are 15 times more likely to be imprisoned than a non-Aboriginal man. Half of all Aboriginal prisoners are under 30.

The re-imprisonment rate for Aboriginal young people is higher than the school retention rate. The numbers are heartbreaking – and getting worse.

Imprisonment rates have more than doubled in the past decade, growing independent from changes in the crime rate.

And for Aboriginal women, the rate of imprisonment is accelerating even faster – a 74% increase in the past 15 years.

Today, Aboriginal women are one-third of our female prisoners.

There are far too many people in prison with poorly-understood disability, particularly cognitive and mental disabilities. We cannot tolerate a system that just processes people, rather than a system that fairly administers justice.

We cannot let it be said of modern Australia that the colour of your skin determines whether or not you end up in jail. It is devastating that jail is seen as a rite of passage for many Aboriginal and Torres Strait Islander people, part of the natural order of things.

It is an outrage that there is an attitude that this is normal. This is not normal. We can't shrug our shoulders and say this is just a "fact of life" in remote Australia.

The injustice is just as shameful across our cities and regional towns.

For individuals, an early stint in jail means you're more likely to grapple with mental health issues or develop a substance addiction, and less likely to finish school, learn a trade or get a job.

Children with a parent in jail are less likely to go to school and more likely to know the pain of poverty and neglect. More likely to be part of the rapidly-growing number of Aboriginal children placed in out-of-home care, a number that has increased by a staggering 440% since the Bringing them Home report was released in 1997.

Every community pays a price – with higher crime rates, reduced safety, and family violence. And it costs the taxpayer \$292 a day to keep someone in prison. It's time for Australia to face these failures, to demand an end to this grievous national shame.

The first meeting of COAG convened under a Shorten Labor government will work on justice targets. We will work closely with state and local governments, through law enforcement agencies, corrections and community services

And just as importantly, we will be guided by the people who live the reality of the justice gap: community leaders, Elders and Aboriginal representative organisations.

Crime and incarceration affects the safety of the whole community – and the solution belongs to the whole community. Two years ago the town of Bourke in the west of New South Wales,

topped the state for six of the eight crime categories, including family violence, sexual assault and robbery.

The people of Bourke said “enough is enough”. The community brought together 18 different organisations: police, magistrates, legal services, mental health experts and community groups to examine the causes of crime – and to work on preventing crime.

This is not about being soft on crime, or giving offenders a free pass. It’s about breaking the vicious cycle of disadvantage, the demoralising treadmill of offending and incarceration.

This has been baptised as a “justice reinvestment” model: prevention, rehabilitation and diversion. An approach owned, championed by local people, informed by local knowledge, local expertise and supported by the NSW government, building the capacity of communities to tackle the underlying causes of crime: substance abuse, disengagement from school and family dislocation.

A Shorten Labor government will provide the resources for a long-term study of justice reinvestment in Bourke, to see what Australia can learn.

And Labor will work with communities who are committed to this approach, and with the states and territories, to select three more launch sites: in a major city, a regional town and a remote community to roll out a local-power model for community safety.

Through Coag, we will create a national coordinating body for collecting data and measuring progress. We can never talk about community safety, without addressing the scourge of family violence.

Violence against Aboriginal women is at the very core of the national shame of family violence in Australia. An Aboriginal woman is 34 times more likely to be hospitalised as a result of family violence and 11 times more likely to die.

Family violence is the number one cause of Aboriginal children being removed from their family and their community, and all the trauma and disruption to the social fabric this entails.

And too many women seeking help from family violence face significant legal, psychological and cultural barriers. Every woman living in fear must have access to safe and culturally appropriate legal support, no matter where they live.

This is why Australia’s 14 Family Violence Prevention Legal Services are so important. These Aboriginal community-controlled organisations work to break down the fear and isolation that affects many victims of family violence.

Many Aboriginal women come to a centre after living in violent situations for many years, trusting the staff to provide support and advice – without judgment.

These centres don’t just provide legal advice for one day in court. They are a bridge to counselling and housing services, as well as leading community education campaigns aimed at boosting resilience and respect.

Disappointingly, Malcolm Turnbull's recent Family Violence announcement neglected to invest in these services.

A decision that sits alongside \$300m of cuts to Legal Aid Commissions, Aboriginal and Torres Strait Islander Legal Services and community support services such as emergency relief and financial counselling.

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Far from the front page and the nightly news, cuts like these rarely receive the media condemnation they deserve. But these cuts put pressure on every community legal centre, ramping up demand on facilities already under strain, many running on their own tight budgets and absorbing cuts themselves.

This is why the first funding commitment I gave as Labor leader was to restore \$50m in legal service funding – including \$4.5m specifically allocated to Aboriginal Family Violence Prevention Legal Services.

I know every dollar of this money is desperately needed – and I know it will be well spent – particularly when the presence of accessible, culturally-appropriate support can be the difference between Aboriginal women seeking help and suffering in silence.

I know in some conservative quarters it's fashionable to say *money won't solve the problem on its own*. But cutting funding won't rescue family violence survivors.

So, the next time you hear someone talk about the cost of preventing family violence, tell them by 2021, the cost of not preventing family violence among Aboriginal and Torres Strait Islander people alone will be \$2.2bn a year.

Above all, eliminating family violence from our national life, depends upon delivering equality for Australian women. We cannot close the justice gap, the family violence gap, without closing the gender gap for Aboriginal women and girls.

Better education for girls and young women is our best hope of promoting better health and nutrition, reducing infant and maternal mortality rates – and boosting productivity and employment.

Right now, less than six in 10 Aboriginal and Torres Strait Islander female students complete secondary school and over 50% of Aboriginal mothers have their first child while they are still teenagers.

We must engage young people at school and beyond. A Labor government will partner with Stars Foundation, to build on their existing programs in schools in the Northern Territory, to engage many more Aboriginal and Torres Strait Islander girls and young women across Australia.

The Stars program adopts an approach similar to the successful Clontarf model, but designed specifically for female Aboriginal and Torres Strait Islander students.

Providing full-time mentors and using extra-curricular activities, including sport, to improve school attendance and Year 12 attainment, as well as addressing health issues and social and emotional wellbeing.

A Shorten Labor government will invest \$8.4m to create 7,155 new places in the Stars Program for girls across Australia.

The foundation will work with other organisations delivering school-based mentoring to girls and young women to engage and support students.

On issues like these, no-one has all the answers. Instead we need to recognise that the best plans and policies depend upon fundamental respect for Aboriginal and Torres Strait Islander peoples, understanding the best outcomes occur when people are empowered to make decisions about their own lives.

The injustice dealt to Aboriginal and Torres Strait Islander people is a stain on our whole nation, and it is a challenge to our whole nation.

If we set new co-operative justice targets, if we listen and invest in what works, if we work together, I believe we can succeed where others have failed. We can close the justice gap. We can, we must, we will.