



MEDIA RELEASE

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“EXAMINATION INTO THE EFFECTS OF LEGISLATION ON INDIGENOUS INCARCERATION RATES IS A NECESSITY AND NATIONAL PRIORITY” SAYS ABA PRESIDENT

The President of the Australian Bar Association (ABA), Patrick O’Sullivan QC, has applauded the Commonwealth Attorney-General, Senator the Hon George Brandis QC, on today’s announcement of a national Law Reform Commission examination into Indigenous incarceration, which will consider law reform measures to tackle Indigenous imprisonment rates.

“The over-representation of Indigenous people incarcerated is a national disgrace and this announcement of an is a significant opportunity to make informed and practical changes that address this problem and delivers better justice outcomes for Indigenous Australians and the country as a whole,” said ABA President, Patrick O’Sullivan QC.

Addressing the legal profession at the Australian Bar Association and Victorian Bar 2016 National Legal Conference in Melbourne today, the Commonwealth Attorney-General announced the Australian Law Reform Commission reference to examine issues of indigenous incarceration and consider law reform measures put in place to ameliorate this situation.

“The ABA has consistently called for national co-operation to address the shocking and disproportionate rates of Indigenous incarceration. In particular, we have proposed a range of measures including the removal of certain mandatory sentencing laws that have the biggest impact with minimum effect on Indigenous people, as well as a review of bail laws, fine default imprisonment and investing in justice reinvestment programs,” said Mr O’Sullivan QC.

The current situation:

- Incarceration rates of Indigenous Australians are 16 times higher non-Indigenous Australians
- Indigenous children and teenagers are 24 times more likely to be incarcerated than non-Indigenous children.
- Indigenous women are almost 30 times more likely to be incarcerated than non-indigenous women.

“Australia’s Indigenous incarceration rate is one of the most challenging human rights issues facing our country today and one that has been of deep concern to the Australian Bar Association. Today’s announcement is a positive and necessary step towards addressing one of Australia’s most alarming issues,”

The government will consult with the ABA and the Indigenous community to develop the terms of reference to the ALRC examination.

MEDIA ENQUIRIES: Jo Oakes 0439 700 076 | media@austbar.asn.au