Preventing systemic injustice needs all jurisdictions to do more

The Public Health Association of Australia (PHAA) welcomes new state-based efforts that help to address systemic racism in our justice system and appeals to all levels of government to do more.

The Queensland Government’s amendments to the Youth Justice Act represent a commitment to ensuring children spend as little time as possible in watch houses and on remand in youth detention centres. Community options are always preferred over locking up a child anywhere.

The Victorian Government’s commitment to decriminalise public drunkenness and replace it with a health-based response takes up a key recommendation of the Royal Commission into Aboriginal Deaths in Custody nearly three decades on.

The reform finally brings Victoria in line with all other states and territories, except Queensland which PHAA urges gets on board. States have an important role to play in preventing harm to Aboriginal and Torres Strait Islander peoples in custody.

The developments come after revelations that Australia incarcerates a greater share of the adult population than at any point since the convict age of the late 1800s. Based on an analysis of ABS data, Aboriginal and Torres Strait Islander Australians are now more likely to be in prison than African-Americans in the U.S where deep racial injustice persists.

State-based reforms cannot be isolated from the fact that Australia is out of step with many nations in the OECD.

The PHAA has again, with legal and human rights experts, called on all jurisdictions to keep pace with international law and raise the age of criminal responsibility from 10 to 14.

The Council of Attorneys-General is reviewing the matter and is due to report to COAG in November.

Locking up children as young as ten is not fair or right. It has adverse and life-long health impacts.

Commonwealth Attorney-General Christian Porter can and should show national leadership to raise the age of criminal responsibility and find and resource ways that can reduce the over-representation of Indigenous people in custody.

Also, at the federal level, the PHAA calls on the Morrison Government to add a comprehensive justice target to the Closing the Gap Refresh, as foreshadowed.

A justice target, aimed at reducing the number of people who end up in the criminal justice system is one important measure that supports an integrated and prevention-centred system.

Disproportionately high rates of incarceration of Aboriginal and Torres Strait Islander peoples will only be addressed if more resources are directed towards justice reinvestment programs.

ENDS
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