

YHRI Summit 2016

Adult Speaker

“Prevention of Crime and Violence”

COUNTRY: AUSTRALIA

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Good Morning,
My name is Olivia Dawson and I represent the International Presentation Association, a Non-Governmental Organization, working in 23 countries. As part 2030 Agenda implementation, reemphasizing the objective that no one is left behind and the desire to ensure the human rights of all, we express* our concern regarding the over-representation of Indigenous youth in the criminal justice system in Australia, and how the policies and practices of the justice system should be restructured to prevent crime and violence.

According to Amnesty International, In 2013-14, Indigenous young people were 26 times more likely to be in detention than non-indigenous Australians nationally. More worrying still, in Western Australia, Indigenous young people are currently 53 times more likely to be in detention. Despite making up only 6.4% of the population of 10-17 year olds, Indigenous young people made up an average of 78% of the youth detention population.

Discriminatory practices serve Indigenous youth longer sentences for the same offences and hold them in detention facilities far away from their communities severing cultural and family ties¹. There is significant evidence that imposing custodial sentences on young people increases the risk of recidivism. Data released by Australian Institute of Health and Welfare in 2013 specifies that 63% of youth with sentenced supervision, returned to sentenced supervision within the space of two years.

While the reasons for this over-representation of Indigenous youth are varied and complex, legal systems perpetuate social inequalities

¹ International Expert Group Meeting, 'Indigenous Children and Youth in Detention, Custody, Foster-Care and Adoption', 2010

through specific legal and judicial practices. In Western Australia, for example, mandatory sentencing laws prevent the Children's Court from ensuring that detention is a measure of last resort, contrary to the Convention on the Rights of the Child. Furthermore, the age of criminal responsibility is 10 years old, against 12 years by the Committee on the Rights of the Child. It is essential to reconsider this hard line approach to justice, as existing practices are clearly not working. Australia is inadequately investing in or referring youth to programs designed to address the causes of offending behavior. The government must increase state funding and support to the many existing Aboriginal-led initiatives that work to maintain and foster ties between young people and their communities, keeping them in their communities and out of detention.

As an activist I have taken to the streets to gather signatures to halt mandatory detention, and rallied to stop the forced closure of remote indigenous communities. I have volunteered as a camp leader working with under-privileged youth including indigenous boys and girls, and have witnessed the outcry of my community over the recent revelations regarding maltreatment in the Don Dale Detention Center. While this must be addressed, an investigation of just this one center will not tackle the underlying causes or prevent these kinds of situations from occurring again.

What is required is for State agencies and organizations to acknowledge Indigenous culture and traditions, recognize historical social, economic inequalities, and include the concerns and voices of Indigenous youth when developing programs. We recommend the following:

- Training of community based social workers and caseworkers with insight and understanding to work with Indigenous people in the justice system.
- Develop youth programs with their participation.
- The building of community-centered rehabilitation programs.
- Develop alternatives to prison, e.g. outback training camps, to build cultural appreciation and self-confidence.

In ensuring 'no one is left behind', we must stop Indigenous youth from getting caught in the revolving door of the juvenile detention system, and re-examine the hard line approach in order to help prevent crime and violence.

Thank you