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## Media Release

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### New stats reveal that Aboriginal and Torres Strait Islander women are one of the most incarcerated groups in the world

The Australian Bureau of Statistics released figures last week showing that Australia now imprisons 18 per cent more Aboriginal and Torres Strait Islander women than it did 12 months ago.

The Human Rights Law Centre's Senior Lawyer, Ruth Barson, said the increase was particularly concerning given Aboriginal and Torres Strait Islander women are already the fastest growing prisoner demographic in Australia.

"Aboriginal and Torres Strait Islander women comprise just two per cent of the general population, yet over one third of the prison population. Clearly, our criminal justice systems are having a disproportionate impact on Aboriginal women and we need to address why the system is producing such discriminatory results when it comes to race and gender," said Ms Barson.

Aboriginal and Torres Strait Islander women have specific rights under the UN Convention on the Elimination of Discrimination Against Women and also under the UN Declaration on the Rights of Indigenous Peoples. Australia should be doing as much as it can to provide for the rights of Aboriginal and Torres Strait women – including rights to non-discrimination, to equality before the law, and to self-determination – not ignoring them.

Ms Barson said that most imprisoned women are victims of sexual or physical violence themselves, and as a consequence might also have drug and alcohol problems, experience homelessness or have mental health issues.

"We should not be penalising vulnerability. Prison isn't a solution to these problems and shouldn't be our default option. Vulnerable and marginalised Aboriginal and Torres Strait Islander women need culturally and gender specific support in the community so they don't get caught up in the criminal justice system," said Ms Barson.

The Deputy Chair of the National Aboriginal and Torres Strait Islander Legal Services, Priscilla Collins, said in addition to being far more expensive than early intervention programs, incarcerating women is also more likely to have long-lasting, negative flow-on effects for Aboriginal and Torres Strait Islander families and communities, given many women are also the primary carers of young children.

"The current system clearly isn't working. Australia needs a smarter approach that acknowledges the unique socio-economic reasons that these women come into contact with the criminal justice system in the first instance. Investing in early intervention strategies and tackling the root problems will yield better and fairer results, and these statistics are a wakeup call to governments at all levels to get serious about such programs," said Ms Collins.

The Convenor of the National Aboriginal Family Violence Prevention and Legal Services (FVPLS) Forum, Antoinette Braybrook, said that despite increasing need, the services had recently been hit by significant Government funding cuts.

“In comparison with other Australian women, Aboriginal and Torres Strait Islander women are 31 times more likely to be hospitalised and 10 times more likely to die as a result of violent assault. A recent NSW study found that more than 80% of Aboriginal women prisoners surveyed reported abuse and family violence as a direct contributor to their criminal offending.”

“Family violence is the key root cause of Aboriginal women’s imprisonment and the removal of Aboriginal children from their families. Governments want to be tough on crime but they fail to invest in early intervention and prevention and access to legal representation for victim-survivors of family violence – things that we know reduce the vulnerability of Aboriginal women,” said Ms Braybrook.

Ms Barson said the Australian Government has slashed funding across the board for Aboriginal and Torres Strait Islander legal services at a time of increasing need.

“We cannot ignore the specific needs and situations of Aboriginal and Torres Strait Islander women. We should be building the capacity of culturally specific women’s organisations, not dismantling them,” said Ms Barson.

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