Twitter Thread by Kirsti Miller

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There is little understanding within Australian society of the requirement to and legitimacy of adopting special measures.

> Such a waste
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> — Steve Grey (@Stephen_J_Grey) January 28, 2021

Government policy does not acknowledge the applicability to Indigenous people of the right to self-determination. In 1997 the cruel Howard government actively rejected self- determination as the basis of Indigenous policy.

Key reports which make recommendations for redressing Indigenous disadvantage, including the Royal Commission into Aboriginal Deaths in Custody, and Bringing them home, ...

the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, have 'NOT' been fully implemented.

Many recommendations, particularly those concerning the application of the principle of self-determination, have been actively rejected.

The Social Justice Package, the third component of the government's response to the Mabo decision (alongside the Native Title Act and the National Aboriginal and Torres Strait Islander Land Fund), has been abandoned.

Following broad consultations with Indigenous peoples, peak Indigenous organisations had proposed that the social justice package involve measures to redress Indigenous disadvantage and to recognise the unique status of Indigenous people.

The Australian Law Reform Commission report, PathwayPathways to Justice–Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples, was tabled in Parliament in March 2018.
https://t.co/eOqOtedwo6

The ALRC found Aboriginal and Torres Strait Islander men are 14.7 times more likely to be imprisoned than non-Indigenous men. Aboriginal and Torres Strait Islander women are 21.2 times more likely to be imprisoned than non-Indigenous women.

The ALRC was asked to consider laws and legal frameworks that contribute to the incarceration rate of Aboriginal and Torres Strait Islander peoples and inform decisions to hold or keep Aboriginal and Torres Strait Islander people in custody.

Implementation of ALRC recommendations will reduce the disproportionate rate of incarceration of Aboriginal and Torres Strait Islander peoples and improve community safety.

The recommendations:
Promote substantive equality before the law for Aboriginal and Torres Strait Islander peoples;
Promote fairer enforcement of the law and fairer application of legal frameworks;

Ensure Aboriginal and Torres Strait Islander leadership and participation in the development and delivery of strategies and programs for Aboriginal and Torres Strait Islander people in contact with the criminal justice system;

Reduce recidivism through the provision of effective diversion, support and rehabilitation programs;
Make available to Aboriginal and Torres Strait Islander offenders alternatives to imprisonment that are appropriate to the offence and the offender's circumstances; &

Promote justice reinvestment through redirection of resources from incarceration to prevention, rehabilitation and support, in order to reduce reoffending and the long-term economic cost of incarceration of Aboriginal and Torres Strait Islander peoples.

While the problems leading to the over-representation of Aboriginal and Torres Strait Islander peoples in prisons are complex, they can be solved.

Law reform is an important part of that solution. Reduced incarceration, and greater support for Aboriginal and Torres Strait Islander people in contact with the criminal justice system, will improve health,

social and economic outcomes for Aboriginal and Torres Strait Islander peoples, and lead to a safer society for all.

The Report represents findings from 11 months of research, 149 national consultations and more than 120 submissions.

It is critical we acknowledge that Aboriginal and Torres Strait Islander peoples understand the problems leading to their over-incarceration.

Facilitating Aboriginal and Torres Strait Islander peoples to develop and deliver appropriate strategies, initiatives, and programs are a feature of the ALRC recommendations.

Pathways to Justice is available at https://t.co/hkd8nS7hR9.

A Summary Report is also available.
https://t.co/D8VbFR8BHS

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