

# Australian incarceration rate rising despite drop in crime

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A new report reveals that a higher percentage of Australians are imprisoned now than at any time since the end of the 19th century. In 2018, 221 in 100,000 Australians were incarcerated, an increase of 130 percent over the 1985 rate.

The incarceration rate for Aboriginal people is more than 10 times higher, at 2,481 in 100,000, meaning that they are more likely to be imprisoned than African-Americans in the United States.

From 1860—the earliest year for which data is available—to 1919, Australia’s incarceration rate fell from 650 in 100,000 to 78 in 100,000, after the country ceased being a collection of British penal colonies. The rate remained relatively steady at around 96 in 100,000 until 1985, when it began the current rapid rise.

The sharp increase over the past three decades comes despite a dramatic reduction in crime. Since 1983, motor vehicle theft has decreased by 65 percent, robbery 50 percent, break-ins 43 percent, and assault 29 percent, contributing to an overall reduction of 38 percent.

Until 1970, there was a strong correlation between homicide and incarceration rates, but in the past five decades the rate of homicides has fallen to record lows while prison numbers have increased.

The report, produced by federal Labor Party MP Andrew Leigh, dismisses the argument that increased incarceration lies behind the reduction in crime. Leigh writes: “Young disadvantaged men, with low levels of education and a high prevalence of mental illness, are unlikely to change their behaviour if the potential sentence is increased from ten to twenty years.”

Leigh also questions the effectiveness of prison rehabilitation programs, writing: “[P]risons are more likely to teach offenders how to commit more crimes than they are to provide skills that are useful in the formal labour market.”

This statement is well supported by the statistics. Of

those entering prison, 73 percent have been imprisoned before—and 45 percent within the previous year. Upon release, 78 percent expect to be unemployed and more than half expect to be homeless.

The increased incarceration rate can be attributed to decades of “tough on crime” policies implemented at state and federal level by both Labor and Liberal-National governments.

One aspect of this is that illicit drug offences have been targeted by stricter sentencing, changes to bail laws and increased use of aggressive and invasive police strip searches.

In 2017–18, 5,451 strip searches were carried out by New South Wales (NSW) police (excluding searches on those already in custody), a 46.8 percent increase from 2014–15 and almost 20 times the 2006 figure.

More than half of those subjected to strip searches were 26 years old or younger, including 162 children aged between 10 and 17. While only 2.9 percent of the NSW population is Aboriginal, they accounted for 10 percent of strip searches.

More than four fifths of the charges laid as a result of strip searches are for possession of a small quantity of drugs. Across Australia, 16 percent of those in custody are convicted of, or charged with, drug offences. This figure began to increase in 2009, after remaining at 10 percent for the previous 23 years.

Far from addressing the social crisis behind the mounting epidemic of addiction, to substances both legal and illegal, the response of the state has been draconian punishment of drug users.

A Sentencing Council of Victoria study found that in 2016–17, 29 percent of those found guilty of minor drug offences were sent to prison—more than twice the 2007–08 rate of 13 percent.

More broadly, the introduction of standardised sentencing—with prescribed minimum and maximum

sentences for certain offences, generally involving violence—and mandatory sentencing increased the chance of offenders being sent to prison, and lengthened their term.

Mandatory sentencing can apply to those convicted for specific crimes or to repeat offenders, regardless of severity of their acts.

Since 1985, average time served in prison has risen by 56 percent from 2.4 years to 3.7 years. Nine percent of prisoners are now serving sentences longer than 10 years, up from 2 percent in 1985.

According to Leigh's report, the creation of new offences, including "one-punch" laws, knife possession, bushfire arson and "cybercrime," have contributed to the increased prisoner numbers. The introduction—with bipartisan support—of new anti-democratic laws imposing prison terms for protesters will likely lead to a further increase.

As basic social services such as health and education have been slashed, police budgets have swelled. Per-capita police numbers have increased by more than 10 percent since 1983. In the Northern Territory (NT), where there are more than twice as many police per-capita as any other state or territory, growth of the force has outpaced that of the general population by more than one third.

The NT also has the highest incarceration rate in Australia—955 per 100,000 adults, 4.3 times the national figure. Not coincidentally, the territory has the highest per-capita indigenous population. The 28.8 percent of NT residents who are Aboriginal is compared to 3.3 percent nationwide, and they make up 85 percent of the territory's prison population. In 2018, 2.9 percent of all Aboriginal adults in the NT were incarcerated.

The over-imprisonment of Aboriginal people is not confined to the NT. A 2016 Australian Bureau of Statistics report found that, throughout Australia, 23 percent of indigenous men born in the 1970s had spent time in prison.

Aboriginal Australians, already the most incarcerated indigenous population in the world, are now more likely to be held in custody than African Americans. Since 1995, the still shockingly high incarceration rate of African Americans has fallen 34.8 percent to 2,304 in 100,000, while the rate for Aboriginal people has more than doubled to 2,481 in 100,000.

It would be a mistake to view the massive over-representation of Aboriginal people in prisons simply as a matter of racism within the police force and legal system.

Rather, it is the sharpest manifestation of the social crisis that confronts the entire working class.

The 2019 Australian Institute of Health and Welfare report, "The Health of Australia's Prisoners," highlighted the profound disadvantage confronted by those entering prison:

- 40 percent had previously been diagnosed with a mental illness
- 67 percent had used illicit drugs in the last year
- more than half were unemployed
- one third had less than a Year 9 education
- one third were homeless
- 26 percent had a high or very-high psychological distress score on the Kessler 10 scale

Leigh's report does not mention the fact that the sharp rise in incarceration began soon after the 1983 election of the Hawke Labor government, which worked with the trade unions to impose real wage cuts, tens of thousands of job losses and cuts to social services.

The cost-cutting closure of mental health facilities by Labor and Coalition governments in the 1980s—portrayed as "de-institutionalisation"—has forced many sufferers of mental illness into homelessness and frequent and sometimes fatal encounters with police.

Australian prisons have become a repository for the victims of an immense social crisis. Most of those leaving prison are offered no solutions to the problems they face and have a high probability of being returned to prison.

Australia's prisons are operating at 116 percent of their design capacity, leading to health problems, increased prison violence, and a reduction in time spent outside of cells.

The expanded criminal laws, sentencing levels, police numbers and prisons are part of the response of the capitalist class to the growing levels of inequality and the fear of a resurgent struggle of the working class. Similar processes are being seen throughout the globe.



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