



**CAPE YORK  
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*Responsibility • Opportunity • Freedom*

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Mr Kim Wood  
Principal Commissioner  
Imprisonment and recidivism inquiry  
Queensland Productivity Commission  
PO Box 12112  
George St, Brisbane 4003

Lodged as a submission via QPC portal: <https://www.qpc.qld.gov.au/inquiries/imprisonment/>

Dear Mr Wood

Thank you for the opportunity to provide a submission to the Queensland Productivity Commission Inquiry on Imprisonment and Recidivism in response to the Issues Paper released in September.

In our region of Cape York and Far North Queensland we are particularly concerned for the very high and increasing rates of imprisonment and recidivism of Indigenous people. Our deep concern is for the people already in jail but also critically for the current and future generations exposed to the same drivers that are leading to the very high rates of imprisonment and recidivism. In this regard, the current youth detention numbers for Queensland indigenous youth are truly catastrophic at over 26 times the non-indigenous rate and are predictive of a continuing rapid rise in the overrepresentation of indigenous men and women in prison.

A critical point for the Commission before diving into policy solutions is to have a clear understanding of the profile of the current problem. Although ABS headline numbers for imprisonment and recidivism are often quoted in the media there has been far too little effort made to disaggregate and better understand these numbers and their correlation with other leading indicators. Therefore an essential contribution of this inquiry should be to access and use relevant Queensland Government data to develop a clearer picture of the prisoner population and the pathways that lead to prison and out of it.

One very strong anecdotal correlation that warrants careful statistical investigation is the link between the headline rates of imprisonment and entrenched (intergenerational) economic disadvantage as recently defined by the Australian Productivity Commission. The issue here is about the relationship between what the Productivity Commission has described as 'inherited' poverty and imprisonment and therefore by extension the public policy responses that are being pursued to address entrenched economic disadvantage.

Peter Harris, Productivity Commission Chairman, makes particular note of the failure of public policy to understand the problem of entrenched economic disadvantage and therefore make any inroads despite an unprecedented period of economic growth:

... after thirty years, perhaps simply shifting money around and doing more of the same is not sufficient. We have measures in this study to show how forms of poverty for children in particular have actually risen over the last twenty years. There are certainly no simple answers to inherited poverty. (Peter Harris, National Press Club Address, 28 August 2008)

The people of Cape York have long lived and learned from deep and often traumatic personal experience the problems of entrenched disadvantage and the damage caused by well-intentioned but ultimately disastrous welfare-centric approaches seeking to target measures of inequality and 'closing the gap' rather than addressing the drivers of poverty and disadvantage. The massive and growing indigenous overrepresentation in youth detention and prison are outcomes that are closely linked with this failed public policy approach.

There can be no real improvement in the high rates of indigenous imprisonment and recidivism without changing the drivers that have led to the current situation. A focus on rates of youth detention, imprisonment and recidivism rates will continue to miss the fundamental point that these numbers are perversely driven by a system that fails to engage with and develop the latent potential of human beings.

Our leaders have not been idle and have led the development of a series of powerful actions to address entrenched disadvantage, including the Cape York Welfare Reform Project and Empowered Communities. All of these actions are based on Noel Pearson's 2000 call-to-arms in *Our Right to Take Responsibility* and his 2005 address to the National Press Club *The Cape York Agenda* where he sets out the issues and realities on-the-ground that have to be challenged so that 'Cape York people have the capabilities to choose a life they have reason to value'.

The Cape York Agenda, Welfare Reform and Empowered Communities are all seeking to address the dire situation that multiple important inquiries and experts have also described after analysing the phenomenon of indigenous imprisonment, overrepresentation and its consequences. The Royal Commission into Aboriginal Deaths in Custody released its Final Report more than twenty-five years ago and was crystal clear that the drivers of imprisonment and overrepresentation are unemployment; poverty; alcohol abuse; poor school performance; youth boredom; family breakdown; and overcrowded housing. Critically, Commissioner Eliot Johnson made his strongest recommendations not for changes to the criminal code or punitive measures but instead through the 'empowerment' of aboriginal society. Further, Don Weatherburn, a world leading criminologist and Director of the New South Wales Bureau of Crime Statistics and Research, released a 2014 book *Arresting Incarceration: Pathways Out of Indigenous Imprisonment* and concludes that any real improvements in the headline imprisonment rates will forever be elusive unless there is a clear focus on empowerment and developing 'human capital' so that indigenous people, over generations, have the means to lift themselves out of poverty.

This clear understanding of the problem of entrenched disadvantage, disempowerment and a deficit in 'human capital' is as relevant to the people of Cape York as it is to the people of Macquarie Fields or West Cairns or any other part of Australia where entrenched disadvantage is concentrated and wreaks its havoc street-after-street and year-after-year.

Our experience on Cape York also closely matches the findings of the watershed Queensland Productivity Commission *Inquiry into service delivery in Queensland's remote and discrete Indigenous Communities* that government-led welfare-centric policies have been dwarfed by the minimal support for structural reform and the shifting of power to indigenous agency and authority as the primary means to overcome entrenched economic disadvantage. Passive welfare and the government machinery that force feeds it continues to dominate our region.

Indigenous agency, development, empowerment and productivity are all prisms by which all public policy objectives and expenditure should be reformed at a regional and local level, including an unwavering focus on rebuilding social norms, lifting education outcomes, and engagement with the real economy. Our forecast is that the trends in youth detention and imprisonment will only improve with sustained improvements in these measures of human development and wellbeing.

I would welcome the opportunity for further discussion on these issues and wish the inquiry success in shining a light on these critical issues.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Fiona Jose', written in a cursive style.

Fiona Jose  
**Chief Executive Officer**