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| MEDIA RELEASE |
| Report Name: ***Fine defaulters in the Western Australian prison system*** |

The latest report by the Inspector of Custodial Services concludes that reducing the rate of imprisonment for fine default will not reduce prison overcrowding but that there are compelling human and financial reasons to try and reduce the number of people going to prison for fine default, especially Aboriginal women and unemployed women.

The report found that from July 2009 to July 2014, an average of 1200 people went to prison each year solely for fine default. This dropped to 600 in 2014/2015 but it is not yet clear if that drop will be sustained. 54% of cases involved motor vehicle and driving offences, 22% involved offences against good order (such as breach of court orders and hindering police), and 17% involved burglary, stealing or assaults.

In launching his report, Inspector Neil Morgan said:

“When a court fines someone, it has decided that the person doesn’t deserve to go to prison, and doesn’t even deserve a sentence of community work or a suspended prison sentence. So we should all be concerned that so many people end up in prison for default. But reducing imprisonment for fine default is not a solution to prison overcrowding: fine defaulters usually spend only a few days in custody, and so there are only 5-10 in prison each day.

But the human, social and financial costs of people ‘churning’ in and out of custody for fine default are enormous. And I am very concerned that the churn has impacted most on women and on our most stressed prisons. Everything possible must be done to reduce the flow of fine defaulters into prison.”

The report expresses serious concern about the impact of current laws on women, especially Aboriginal women. Mr Morgan said:

“Women have accounted for less than ten per cent of our daily prison population but 22 per cent of all fine default receptions. Aboriginal women have been particularly affected, accounting for two thirds of all female fine defaulters, and younger Aboriginal women are the most affected. They made up 78% of female fine defaulters aged under 25. In addition, women also end up in the most crowded and impoverished parts of the prison system.”

In addition, the report found that three quarters of female fine defaulters were unemployed, compared with only 10% of male defaulters. Mr Morgan said:

“This adds a further dimension. Ideally, we would only be imprisoning people who *can* afford to pay fines but won’t do so, rather than people who ‘can’t pay’ because of their economic and social circumstances. But the evidence suggests we are not meeting that goal. Imprisonment for fine default does not seem to be having a massive impact on employed men, but is definitely impacting on some of the more vulnerable and disadvantaged members of our community, especially Aboriginal women.”

Using Department of Corrective Services’ estimates, the report concluded that from July 2006 to July 2014, it had cost $42 million dollars to imprison fine defaulters. They had owed a total of $55 million. If other costs such as police are added in, the total cost is significantly more.

The Inspector said:

“I have no jurisdiction to examine matters such as fine enforcement by the Department of the Attorney General. But this report has surfaced issues that call out for further analysis and action across both government agencies and the judiciary. Fine defaulters are not the cause of prison overcrowding, but this in no way dilutes the importance of the issue.

I acknowledge that imprisonment will remain the option of last resort, and that for more than twenty years, governments have been endeavouring to find alternatives. It may be that these alternatives are working for some groups, but women, especially unemployed women and younger Aboriginal women, are going to prison for fine default at a disproportionate rate. And the 2014 death of Ms Dhu in police custody in South Hedland adds both poignancy and urgency to our findings.”

The report is available on the Office of the Inspector of Custodial Services website at (http://www.custodialinspector.wa.gov.au/go/reviews).