



Building on Women's Strength:

Developing community-based service models for women in prison and released from prison in Victoria

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Discussion paper prepared by *Sisters Inside Inc.* and the
Aboriginal Family Violence Prevention and Legal Service with financial
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Context

Women and prison in Victoria

More than 600 women spend time in Victorian prisons each year,¹ over 80% of them on short sentences of less than 12 months. More than half of the women sent to prison have been imprisoned before.²

Table 1: Prisoner Receptions and Discharges. Statistical Profile of the Victorian Prison System 1999/2000 to 2003/2004, Department of Justice, Victoria, 2005³

Receptions and Discharges	1999-00	2000-01	2001-02	2002-03	2003-04	% change 1999-00 to 2003-04
Number of receptions ^(a)						
• Male prisoner receptions	4,433	4,339	4,258	4,609	4,490	+1.3%
• Female prisoner receptions	526	539	589	588	577	+9.7%
• All prisoner receptions	4,959	4,878	4,847	5,197	5,067	+2.2%
Number of individual persons received						
• Male prisoners	4,033	3,927	3,886	4,129	4,079	+1.1%
• Female prisoners	452	485	511	511	497	+10.0%
• All prisoners	4,485	4,412	4,397	4,640	4,576	+2.0%
Number of discharges						
• Male prisoners	4,207	4,165	4,116	4,413	4,592	+9.2%
• Female prisoners	522	475	582	561	614	+17.6%
• All prisoners	4,729	4,640	4,698	4,974	5,206	+10.1%

A 2004 study of 470 women incarcerated in prisons in six Australian jurisdictions⁴ found:

- 87 % of the women were victims of sexual, physical or emotional abuse in either childhood (63%) or adulthood (78%). The majority were victims of multiple forms of abuse;
- childhood and adult abuse were correlated with drug dependency and mental health problems;
- 55 per cent of the women met the criteria for drug dependency and 27 per cent for alcohol dependency;

¹ See **table 1**: Prisoner Receptions and Discharges.

² Department of Justice (2005) *Statistical Profile of the Victorian Prison System 1999/2000 to 2003/2004*.

⁴ Johnson, H. (2004) *Drugs and crime : a study of incarcerated female offenders*, Australian Institute of Criminology, Canberra.

- physical abuse in childhood was a predictor of violent offending;
- Alcohol dependency among Aboriginal women was three times higher than for non-Aboriginal women (54% compared to 17%), while dependency on illicit drugs was somewhat higher among non-Aboriginal women (57% compared to 48% of Aboriginal women).

The rate of imprisonment of Aboriginal women in Victoria is 186.1 per 100,000, in comparison with a rate of 12 per 100,000 for non-Aboriginal women.⁵ Between 8 and 10% of women sent to prison in Victoria are Aboriginal women.⁶ 77% of Aboriginal women prisoners have been imprisoned before.⁷

Over 13% of women sent to prison were born in countries where a language other than English is the primary language. There are currently around 35 Vietnamese women in prison in Victoria– most of them do not speak English.⁸ This is the fastest-growing segment of the Victorian women’s prison population.

No data is available on intellectual disability or cognitive impairment amongst women in prison in Victoria, however NSW research indicates that people with an intellectual disability make up at least 12% of the prison population, although they are only 2-3% of the general population.⁹

The number of women in prison in Victoria has almost doubled in the last eight years.

The Victorian women’s prison population has increased by 84% since 1998, an increase that has been described as “alarming” by the Victorian Government.¹⁰ The increase is part of a national trend¹¹ that has seen the rate of Aboriginal women in

⁵ Aboriginal and Torres Strait Islander Social Justice Commissioner (2004) *Social Justice Report: Walking with the women: Addressing the needs of Indigenous women exiting prison*. HREOC, Sydney.

⁶ Department of Justice (2005) *Statistical Profile of the Victorian Prison System 1999/2000 to 2003/2004*.

⁷ Aboriginal and Torres Strait Islander Social Justice Commissioner, op. cit.

⁸ Interview with Kim Vu, Prison Support Service, Australian Vietnamese Women’s Welfare Association, 30 August 2005.

⁹ New South Wales Council on Intellectual Disability (2001) *The Framework Report: Appropriate Community Services in New South Wales for Offenders with Intellectual Disabilities and Those at Risk of Offending*

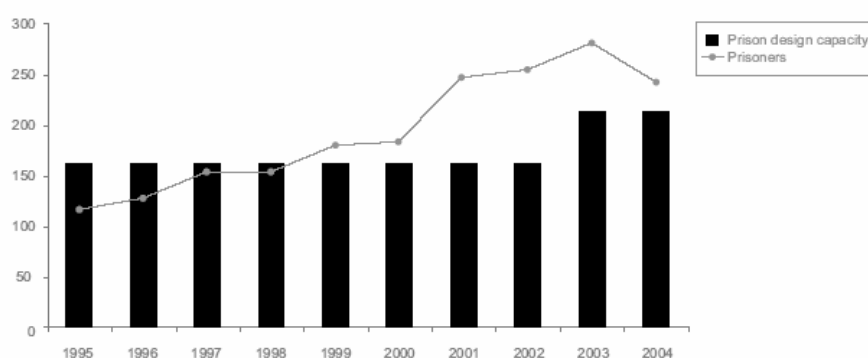
¹⁰ Department of Justice Victoria, *A strategic approach to women’s offending*, in Justice Review, Vol 2, No. 3, June 2005.

¹¹ Australian Institute of Criminology (2001) *Crime Facts Info No. 1: Number of women prisoners increases*.

prison increase so disproportionately that it now approaches the rate of imprisonment of all men.¹²

On 30 April 2005 there were 260 women in the two Victorian women's prisons¹³ – over 200 at the high security Dame Phyllis Frost Centre (better known, and hereafter referred to as “Deer Park Prison”) and more than 50 at the minimum security Tarrengower Prison. These two prisons, combined, were designed to incarcerate a maximum total of 213 women.¹⁴ Both are now seriously overcrowded due to the surge in the numbers of women being imprisoned in the last ten years

Graph 1: Prisoner numbers and prison design capacity – women's prisons as at 30 June 2004.
From: *Statistical Profile of the Victorian Prison System 1999/2000 to 2003/2004*, Department of Justice, Victoria, 2005



According to the Victorian Department of Justice, the recent rapid growth in the imprisonment of women in recent years is due to a number of factors including a greater willingness by judges and magistrates to remand or sentence women to prison. The Department has registered a move away from the sentencing principle of “prison as a last resort” by judges and magistrates - particularly for women with inadequate accommodation and “complex support needs”.¹⁵

In her presentation to the *Is Prison Obsolete?* Conference in July 2005, Dr Eileen Baldry of the University of New South Wales posited that the greater willingness of the judiciary to sentence women, and particularly Aboriginal women, to imprisonment is due to the shrinking social and health supports that are available to women in the community - especially the failure to provide community-based alternatives to

¹² Cameron, M. (2001) *Trends and Issues in Crime and Criminal Justice No 194: Women Prisoners and Correctional Programs*. Australian Institute of Criminology, Canberra.

¹³ Department of Justice Victoria, *A strategic approach to women's offending*, in *Justice Review*, Vol 2, No. 3, June 2005.

¹⁴ See **graph 1**: Prisoner numbers and prison design capacity – women's prisons as at 30 June 2004. *Statistical Profile of the Victorian Prison System 1999/2000 to 2003/2004*, Department of Justice, Victoria, 2005

¹⁵ Ibid.

psychiatric institutions, greater drug and alcohol use as a result of lack of social and community supports and a resurgence in sexism and racism in popular and public discourse.¹⁶ It is a phenomenon that is not restricted to Australia. Rates of imprisonment of women have been increasing in most western countries in the last two decades – notably in Canada and the US - a trend which has mirrored the trend away from social spending and community development policies and towards free market economic policies.¹⁷

This greater use of imprisonment – and particularly the increased use of short sentences of less than one month - is then compounded by the high rates of return to prison (“recidivism” rates) for women who experience prison for the first time.

The Department says that one of the “most notable developments” has been the significant growth in the number of women from culturally and linguistically diverse communities – particularly Vietnamese women.

In June 2004, there were 24 Vietnamese-born women sentenced or remanded in prison custody in Victoria, accounting for approximately one tenth (9.8 per cent) of the total female prisoner population, compared with just five (3.3 per cent of total) in June 1998. This increase has been driven by ‘higher-order’ drug offences which are anecdotally believed to be linked to settling debts incurred by problem gambling.¹⁸

¹⁶ Dr Eileen Baldry, *Women prisoners, patriarchy and the state*, presentation to “Is Prison Obsolete?” Conference, Melbourne, July 2005.

¹⁷ Kim Pate and Angela Davis, presentations to “Is Prison Obsolete?” Conference, Melbourne, July 2005.

¹⁸ Department of Justice Victoria, *A strategic approach to women’s offending*, in *Justice Review*, Vol 2, No. 3, June 2005.

Country of birth of women received into Victorian Prisons. From: Statistical Profile of the Victorian Prison System 1999/2000 to 2003/2004, Department of Justice, Victoria, 2005

Country of Birth	1999-00		2000-01		2001-02		2002-03		2003-04	
	No.	%	No.	%	No.	%	No.	%	No.	%
FEMALES										
Australia	426	81.0	451	83.7	508	86.2	489	83.2	468	81.1
New Zealand	16	3.0	14	2.6	16	2.7	9	1.5	4	0.7
PNG	-	-	1	0.2	-	-	-	-	-	-
Fiji	-	-	-	-	-	-	-	-	1	0.2
Vietnam	30	5.7	23	4.3	15	2.5	30	5.1	34	5.9
Other Indochina	4	0.8	3	0.6	3	0.5	5	0.9	4	0.7
Other Asian	7	1.3	7	1.3	10	1.7	10	1.7	12	2.1
UK & Ireland	17	3.2	20	3.7	15	2.5	19	3.2	26	4.5
Greece	-	-	-	-	-	-	2	0.3	3	0.5
Italy	3	0.6	1	0.2	1	0.2	3	0.5	1	0.2
Yugoslavia	5	1.0	5	0.9	5	0.8	4	0.7	5	0.9
Croatia	-	-	-	-	2	0.3	-	-	-	-
Other Europe	3	0.6	2	0.4	2	0.3	3	0.5	3	0.5
Eastern Europe	6	1.1	7	1.3	1	0.2	3	0.5	3	0.5
USA	-	-	-	-	-	-	1	0.2	1	0.2
Canada	2	0.4	1	0.2	1	0.2	1	0.2	-	-
Other America	3	0.6	-	-	-	-	-	-	1	0.2
Africa	2	0.4	1	0.2	1	0.2	4	0.7	5	0.9
Lebanon	1	0.2	-	-	-	-	2	0.3	-	-
Turkey	1	0.2	2	0.4	2	0.3	-	-	4	0.7
Other Middle East	-	-	-	-	1	0.2	1	0.2	-	-
Unknown	-	-	1	0.2	6	1.0	2	0.3	2	0.3
Total	526	100.0	539	100.0	589	100.0	588	100.0	577	100.0

More prison beds and “Better Pathways”: The Victorian Government’s response

In 2004 the Victorian Government allocated \$19.7 million to “maintenance of 101 existing flexible beds” at Deer Park and Tarrengower prisons¹⁹ - making permanent beds that had previously been temporary, overflow, capacity.

In April 2005 it announced a further \$7.2 million in asset funding to the Deer Park prison to improve infrastructure, including construction of “a 20-bed flexible intensive support unit to accommodate and provide specialist care for women prisoners with mental health treatment needs”.²⁰

In the same announcement \$18.3 million was pledged, over four years, to a strategy developed by Corrections Victoria titled: *Better Pathways: An Integrated Response to Women’s Offending and Re-offending* (“Better Pathways”).

According to the announcement The *Better Pathways* strategy “primarily aims to stem the increasing numbers of women entering prison custody in Victoria by ensuring that prevention, early intervention, diversion, rehabilitation and transitional support interventions are responsive to the distinct needs and life experiences of women at risk of offending or re-offending.”²¹ The strategy includes funding for several

¹⁹ 2004-05 Victorian Budget announcement 4 May, 2004, 19.7 million to address growth inside women’s prisons.

²⁰ *Increasing community safety and access to justice*, Media Release, Rob Hulls (Attorney General) and Clive Holding (Minister for Corrections), 28 April 2005.

²¹ *Ibid.*

projects including “sexual assault counselling, advocacy and support services for women prisoners” and “a Vietnamese liaison officer for the Women’s Prisons Region”.²²

Governance for the *Better Pathways* strategy is being provided by a Reducing Women’s Offending Interdepartmental Committee (the IDC), which reports to the Social Development Committee of Cabinet and includes representatives from the departments of Justice, Human Services, Education and Training, Victorian Communities, Premier and Cabinet, and Treasury and Finance.

In addition to Corrections Victoria, Department of Justice business units represented on the IDC include Crime Prevention Victoria, Victoria Police, Magistrates’ Court, Criminal Law Policy and Indigenous Issues Branch.

Non-government stakeholders are not included in the Governance structure but 14 non-government representatives have been appointed to participate in a Women’s Correctional Services Advisory Committee chaired by Jenny Mikakos MP, Parliamentary Secretary for Justice.

Background to discussion paper

In July 2005 **Sisters Inside Inc.** collaborated with the Victorian **Aboriginal Family Violence Prevention and Legal Service** and **Flat Out** - a Melbourne-based support service for women exiting prison or at risk of incarceration – to organise an international conference on women and prison on the theme *Is Prison Obsolete?* The conference, held in Melbourne, attracted more than 312 delegates from all Australian States and Territories. More than 36% of the delegates were Indigenous women.

Sisters Inside Inc. is an independent community organisation based in Brisbane, Queensland that exists to advocate for the rights and interests of women in the criminal justice system and to address gaps in services that attend to their immediate needs. The organisation is managed by a committee that includes women living inside and outside prison. This Management Committee is primarily responsible for the systemic advocacy work of the organisation and a paid staff focus on service delivery, including advocacy for individual women.

Programs that are currently provided by Sisters Inside include:

- Sexual assault counselling – including a dedicated indigenous sexual assault counsellor.
- Support for homeless young people, or those at risk of homelessness, whose mother is in prison.

²² Department of Justice Victoria, *A strategic approach to women’s offending*, in *Justice Review*, Vol 2, No. 3, June 2005.

- Early intervention for mothers in prison and their children, focusing on pre- and post-release support for reunification.
- Personal support to assist women released from prison through counselling, personal support, guidance, referral and advocacy.
- Intensive support for women who are being released from prison who are primary care givers, and their children.
- “Work Pathways” opportunities for women to undertake accredited training after they have been released from prison.

Sisters Inside is a unique organisation, both in its inclusion of women prisoners in its management and in the range of advocacy and welfare services it provides. It has received widespread recognition, in Australia²³ and internationally²⁴, for its innovation and effectiveness.

In the course of organising the *Is Prison Obsolete?* Conference in Melbourne, Sisters Inside and the VAFVPLS, recognising the context of the rapidly increasing women’s prison population in Victoria, sought and were granted funding from the Reichstein Foundation to prepare this discussion paper as a stepping-stone towards improving advocacy and other services directed towards supporting women to get, and stay, out of prison.

The paper aims to:

- outline **gaps** in current services, as identified by women in prison and women who have experienced prison, especially in relation to Aboriginal and other CALD women and women with mental health issues and other physical and/or intellectual disabilities;
- suggest **principles** that could be adopted to guide the development of services to fill these gaps;
- suggest some possible service **models**, particularly for pilot programs that could be further developed if ongoing funding could be secured; and

²³ For example, in June 2005 Sisters Inside was selected from over 150 Australian community groups for the *Australian Community Idol* prize at the annual Communities in Control Conference. Finalists for the prize, awarded in recognition of a community group’s “broad levels of participation, excellent board management and innovative services” were selected by a judging panel headed by former Australian basketball coach Lindsay Gaze and the winner was decided by a vote of the more than 1500 delegates to the conference. The Director of Sisters Inside, Deborah Kilroy was awarded the Order of Australia Medal in 2003 and the HREOC Human Rights Medal in 2004 for her work with women in prison.

²⁴ US prison activist Angela Davis has called Sisters Inside “the most innovative women’s prison organisation in the world”. (Address to the Harvard University Committee on Human Rights Studies, Harvard University, Boston, 3 July 2003).

- explore some **ethical issues** associated with establishing pilot programs.

Gaps in current services

Needs identified by Aboriginal women prisoners

The **Aboriginal Family Violence Prevention and Legal Service (AFVPLS)** works towards the elimination of family violence and sexual assault through support and advocacy for victims of violence and assault and the development and delivery of preventative initiatives.

In preparation for the 2005 *Is Prison Obsolete?* Conference the AFVPLS met regularly with Aboriginal women in Deer Park prison to discuss the issues relevant to them, so that they could be placed on the Conference agenda. In the course of these discussions – which also included a representative of non-Aboriginal women prisoners on at least one occasions - a consensus emerged among the women that their most urgent need was for community-based, independent, culturally appropriate and effective advocacy and support services for Aboriginal women in prison, the majority of whom have experienced severe family violence and sexual assault.²⁵

The primary, and urgent, needs identified by the Aboriginal women prisoners included:

- **Legal and human rights advocacy** from the outside in relation to inside issues such as segregation and **solitary confinement** (use of so-called “wet cells”) for Aboriginal women with mental health and emotional issues, and **strip searching** of Aboriginal women prisoners;
- **Support for Aboriginal mothers** inside to maintain relationships with, and care for, their children outside – including access to programs such as “primary care leave”;
- **Access to community support mechanisms in preparation for release**, particularly access to pre-release schemes, accommodation and personal support services.

Needs identified by women who have experienced prison

Flat Out Inc. is a community-controlled organisation, based in Melbourne that supports women exiting prison, or who are at risk of incarceration, by providing access to transitional accommodation and other supports, including court support,

²⁵ Interview with Antoinette Braybrook, Chief Executive Officer AFVPLS, 2 September 2005.

recreational activities and referrals to community services, to re-establish themselves in the community and avoid re-incarceration. The organisation prioritises single women exiting the prison system whose housing status puts them at risk of incarceration. They have a commitment to involving women in prison, and who have experienced prison, in the thinking, planning and organisation associated with its services and activities.

In late 2003 Flat Out held a forum on issues for women in prison and post-release entitled *Call me by my first name*. Prior to the forum, many women in prison and who had been in prison shared their experiences in interviews, which then informed the outcomes of the forum.

Healthcare – particularly mental health and segregation practices

As with the consultation by the AFVPLS, the Flat Out forum²⁶ also identified the use of “wet cells” for women with mental illnesses or suffering emotional problems as an area in urgent need of attention. They saw the use of “punishment” models for mentally ill and emotionally distressed women as, amongst other things, a legal issue requiring legal advocacy services.

The forum also highlighted problems with access to, and quality of, health and medical services in the prison in general and in relation to mental health and drug dependency in particular.

Kids of mums in prison

The Flat Out group also identified a severe lack of programs or policies assisting women and their children to maintain and develop their relationships. They reported that control of children’s prison visits were used by prison officers and managers to discipline mothers in prison and suggested that oversight of prison practices from a children’s rights perspective was required. They saw the provision of specialist services and support for children of imprisoned mothers as an urgent need.

Support to re-enter the community

Pre-release preparation and the linking of pre-release programs with community supports post-release were also identified by the Flat Out forum as seriously lacking.

The group made special mention of the fact that the supports that were available in this areas were particularly difficult for women from culturally and linguistically diverse backgrounds to access, as most of the materials were in English and most of the (under-resourced) agencies were not able to offer culturally-appropriate programs for CALD women.

²⁶ Flat Out *Annual Report 2003 – 2004*, at pp 20-26

Services independent of correctional authorities

Women involved in the forum reported that social, health and welfare services provided by prison staff were inappropriate and ineffective because of the confusion of security and welfare roles. They recommended that these services should also be provided by independent, community-based services. Not only would this increase women's trust of the services, but it would also improve continuity in service provision in that women would be able to continue to work with service providers and support workers on their release.

The women recommended that a prisoners' committee should be established that could liaise with community-based organisations about the independent services and supports needed by women prisoners.

Strip searching

The forum identified the routine use of strip-searching before and/or after prison visits as a powerful barrier to women in prison accessing community-based services and support, and to recovery from trauma, mental illness and drug dependency. They recommended that strip searching of women in prison should be ceased, or at least only used where there is a demonstrable security issue.

Women of Vietnamese background

In preparation for this report we spoke to Kim Vu, a prisoner support worker of Vietnamese background who works for the Australian Vietnamese Women's Association. Ms Vu who has been visiting and supporting Vietnamese women in Deer Park prison for over five years. She told us there are currently more than 30 Vietnamese women in the prison, the majority of whom do not speak English.

Kids of Vietnamese mums in prison

Kim reported that most of the Vietnamese women are mothers – mainly single mothers – and they identify their main area of need as support to maintain relationships with their children - and to ensure their children's welfare on the outside.

Kim said that there were often problems placing children of Vietnamese women in prison with alternative carers because of the need for culturally and linguistically appropriate care. Fostering or temporary accommodation through mainstream children's services was usually not appropriate for this reason. Many children are placed with reluctant Vietnamese families who suffer shame and stigma in the Vietnamese community because of the children's mother's incarceration and status as a single mother. As a result of these problems it is often difficult for the children to maintain a relationship, or even contact, with their mother.

Culturally appropriate services are urgently needed to support and work with families who care for children of imprisoned Vietnamese women, and with the mothers inside, to facilitate the maintenance of healthy family relationships during the prison term and following release.

Culturally appropriate therapies

Kim reported that most of the courses and materials available in the prison to deal with trauma and drug dependency are available only in English. Little or no assistance is available in Vietnamese language or that takes account of Vietnamese cultural understandings of therapeutic practices to assist in recovery from trauma or drug dependency.

There is a need for programs that are grounded in Vietnamese culture and spirituality, including Buddhist therapies and practices such as meditation.

English classes

Kim reported that the Vietnamese women in Deer Park are not only isolated from their own community and the broader community, but they are also largely isolated from the other women in prison because of language and cultural barriers.

She said the Vietnamese women would like to improve their English so that they can have more communication with their fellow prisoners and access the many programs and services that are only delivered in English.

Four hours of English classes are currently supposed to be available to the women, however the women report that these classes often do not take place. The women also report that four hours per week is insufficient for them to be able to make significant progress towards communicating confidently and effectively in English.

Women from other cultural and language backgrounds

Vietnamese women are by far the biggest group of CALD women in prison in Victoria, however there are also small groups and many individual women in prison who come from other CALD backgrounds – including African, Middle Eastern, Latin American, Asian and European women. The isolation and lack of services and support faced by these women is magnified when they are one of very few women - or the only woman – in the prison from a particular cultural and language background. There is a significant gap in providing culturally appropriate support and services to these women and their children, including family support, resources in languages other than English, English language education and culturally appropriate therapies and programs.

Women with psychiatric, intellectual and physical disabilities

Special sessions on mental illness and disability amongst women in prison were held as part of the *Is Prison Obsolete?* Conference. Two of the papers delivered at the conference, on women with mental illness and women with disabilities, are appended to this report. (Appendices 1 and 2).

The key theme arising from these Conference discussions was the intrinsic unhealthiness of the prison environment for women – and particularly for women with illnesses and disabilities.

Women with mental health issues

As reported in the introduction to this report, close to 90% of women in Australian prisons are survivors of sexual, physical or emotional abuse in either childhood or adulthood and the majority have suffered multiple forms of abuse. This abuse has been proven to correlate to extremely high rates of drug dependency and mental health problems amongst these women.²⁷

In her conference paper *Prison – Not for Mental Health* (Appendix 1), Vivienne Topp of the Mental Health Legal Service questioned the “treatment” that women with mental illnesses receive in prison – which has received greater public scrutiny in recent months through the case of Cornelia Rau, a woman previously diagnosed with schizophrenia who was wrongly imprisoned in the Brisbane Women’s Correctional Centre in 2004.

In preparation for her conference presentation Vivienne spoke to the Consumer Consultants at the Thomas Embling Hospital – the psychiatric hospital to which women from Deer Park are transferred when they are assessed as requiring acute care. These consultants are people who have suffered mental illness and who provide a consumer perspective to the Thomas Embling Hospital.

According to the Thomas Embling Consumer Consultants some of the most urgent problems for mentally ill women in prison in Victoria are:

- limited access to psychologists and psychiatrists to people in prison, there is no psycho social rehabilitation, no access to occupational therapists, social workers etc ;
- no assessment procedures and unless you are obviously unwell, ie acutely psychotic, no one will pick up that you are experiencing mental illness, it’s up to people to self refer;
- Desperate shortage of beds...only 10 forensic beds at Thomas Embling for women

²⁷ Johnson, H. (2004) *Drugs and crime : a study of incarcerated female offenders*, Australian Institute of Criminology, Canberra.

- High correlation between mental illness and sexual abuse, however, there is no counselling available for support around these issues;
- when prisoners become acutely unwell in prison and of grave risk of harm to self or others, they may be transferred to Thomas Embling Hospital, given treatment (ie drug treatment) and, once stabilised they are returned prison. In the prison the obligation is entirely upon them to continue with the treatment...most discontinue because of the side effects and lack of context for the treatment. Because of the enormous stress to people in prison who have a psychiatric disability and the heightened vulnerabilitythey quickly become unwell again;
- Prison guards and police have no understanding of mental illness;
- people with psychiatric disabilities are more vulnerable than other prisoners in the prison population. In prison they are abused physically and psychologically;
- Almost complete lack of services to people suffering mental illness whilst in prison and post release;
- No discharge planning from prisons. Area mental health services are not available to people until they become unwell and assessed as eligible, by then their lives may well be in complete disarray;
- The biggest concern and most difficult issue to women themselves is what is happening to their kids...with a mental illness and offending behaviour the Department of Human Services are almost always involved. The women often don't get representation in Children's Court proceedings and don't know what is happening. When they get out they have to try and recreate a family.
- Removal from social support networks. People with psychiatric disabilities don't have the same supports as other people they get out to total isolation. For forensic patients there is good case management discharge planning but for prisoners with a mental illness there is nothing. "We don't see forensic patients re-offend, they don't have issues such as homelessness and isolation because they get proper case management from Thomas Embling".

Vivienne told the conference of the most common prison treatment for women suffering serious mental and emotional distress in prison:

Women distressed or agitated, or at risk of suicide or self-harm, are placed in "wet cells" where they are strip searched and issued with a canvas gown, under which they wear nothing.

She quoted from the submission of Professor Paul Mullen, Clinical Director of the Victorian Institute of Forensic Mental Health, to the recent Federal Senate Inquiry into Mental Health:

There is always a problem with providing mental health care within the context of a prison. The culture of prisons inevitably is a culture of observation and control. The culture of therapy for mental disorder is a

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culture - or should be – of communication and enablement of people to begin to stretch their capacities and begin to move. You see it very clearly when you come across suicide risk. The response of a prison to suicide risk is to restrict the possibilities of suicide. At the grossest end, you put people in a plastic bubble, take all their clothes away and watch them. That does prevent suicide but it also, in my view, produces enormous destruction to the psychological and human aspects of that individual, and it is not the way to go. So whenever you are trying to provide mental health care to severely distressed and disabled people within a prison, you are running up against a clash of cultures, the result of which can lead to abuse. The only solution is not to try to treat severely mentally ill people and acutely suicidal people in prison. They should not be there. But that does mean a radical rethinking of priorities. Also, it is not just that we do not have the beds and the resources. Sometimes the beds and the resources are there but they are not available to our patients.

Access to programs and services that focus on getting women with mental illness out of inappropriate prison settings and into community based treatment and support are urgently required.

Women with disabilities

Di Thomson of Prison Ability Victoria, a Geelong-based advocacy and support group for people with disabilities in prison, presented a paper to the *Is Prison Obsolete?* Conference which is appended to this paper. (*Rights of Prisoners with a Disability*, Appendix 2)

Di spoke about some of the additional challenges and stresses that people with disabilities face when imprisoned, including:

- Lack of alternative mechanisms for communication with the hearing challenged, for example when issuing orders to prisoners;
- Vulnerability to abuse and physical injury of prisoners with reduced physical mobility – and lack of access to adequate equipment and specialist health services;
- Lack of communication aids for the speech challenged;
- Lack of understanding of, and provision for, prisoners with anxious or nervous disorders – and overuse of solitary confinement for people suffering acute anxiety or nervousness;
- Lack of access to sport and other physical or community activities that are known to be helpful to people with depressive and other mental illnesses;
- Failure to provide large print or braille documents for the visually challenged – especially legal documents, prison regulations etc
- Failure to provide advocacy and education services for the cognitively or intellectually challenged – including in literacy and and legal and other rights.

- Failure to meet basic building requirements for accommodation of wheelchairs and other equipment used by the physically challenged.

Di argued that the imprisonment of people with disabilities, especially in prisons with not even basic provision for their needs, amounts to cruel and inhuman treatment and greater levels of punishment attributable directly to their disability.

Ex-prisoners speak out at the *Is Prison Obsolete?* Conference

The themes of legal advocacy, mental health, strip searching, mothers and children and community support prior to and on release, were all prominent in the proceedings of the *Is Prison Obsolete* Conference in July 2005.

The conference included remote presentations from women inside and panels of women, from Victoria and interstate, who had experienced imprisonment.

Some of the most powerful presentations were those dealing with the things that had assisted women to survive the prison experience and to remain in the community. Without exception, these stories spoke of the strength the women had drawn from their fellow prisoners and, on release, from people in the community who understood their experiences because of a long association and experience with imprisoned women – often as former prisoners themselves.

Many stories also dealt with the pain and loss associated with being an imprisoned mother. Although there were some stories of reunification with children, it was also common to hear of mother-child relationships that had not survived a mother's imprisonment.

A “talking circle”, convened and largely attended by Aboriginal women, spoke of the challenge of creating places and groups capable of supporting women and their children on release, or at risk of imprisonment. Women in the circle spoke of the many houses in Aboriginal communities that informally provide safe places for women and their children escaping violence, trauma and poverty. They spoke of the role of the “Auntie” in Aboriginal culture – older women who provide advice and safety to young women and children in trouble – and the tension between this voluntary model of community inclusion and support and the role of professional, funded services and organisations.

Whilst the conference often wrestled with the best way to do it, there was an underlying agreement that what was needed was a continuum of support – from the support that women in prison give to each other to community support and inclusion on the outside.

One woman summed up the feeling of conference attendees when she questioned the word “re-integration”. She said it was only possible to be “re-integrated” into a community if she had been integrated in it in the first place. She said she felt that she never had been. She felt she had been isolated from the broader community when she

went to prison and therefore, on release, there was nowhere she could “re-integrate”. She felt her success in staying out of prison was due to linking up with a women’s prison support organisation for which she now worked. She said most other women leaving prison were not so fortunate in finding a place they could belong - a community where they were accepted, included and supported.

Principles

The following principles for the development of effective services were developed from consultation with prisoners, ex-prisoners and service providers and gleaned from international experiences – particularly in Canada – in developing beneficial services for women in, and after, prison.

Decarceration

Services must be committed to working towards the decarceration of all women.

Ownership

Women using a service must have both stake and power in its organisation and delivery.

Culture

Services must be of, and with, the culture/s of the women and children they serve. Services which are foreign to the values, practices, languages and histories of women and children surviving imprisonment will fail.

Continuity

Services must operate on a continuum that starts inside prison and continues to support women after their release. Services will not succeed in supporting women post-release unless they have some understanding of prison experiences. Services that operate across that prison divide have the best chance of offering support in a framework of trust and mutual respect.

Ethics

Services must develop, and work within, clear ethical frameworks.

Competency

Services must ensure that all staff and/or volunteers are adequately experienced and/or trained to perform their role in the organisation.

Systems advocacy

Advocacy services must be cognisant of systemic issues and link with the broader struggle for systemic reform, including movements for human rights, civil liberties, social justice and against racism, sexism and injustice. Services which fail to recognise these systemic issues will be defeated by them.

Choice

Women in prison should be offered the same wide variety of services and therapies that are available outside prison and empowered to choose services according to their own beliefs, practices, experiences and abilities.

Collaboration

Services must work cooperatively with other services and organisations that offer benefits for women in, and after, prison.

Integrity

Services must be free of conflict of interest. Their only interest must be in the health, welfare, dignity and self-determination of the women and children they serve – as individuals and community members.

Respect

Services must be built upon a foundation of respect. Women using services should be fully recognised and respected as women in all their complexity, not narrowly labelled as “prisoners” or “offenders”. Service goals must be oriented to survival, recovery and empowerment, not “correction”.

Services must pay particular attention and respect to the ways in which women in prison provide support and assistance to each other.

Services must never undermine, devalue or disrespect the strength of women surviving imprisonment. Services must recognise that women’s strengths, as individuals and communities, are the only basis upon their which survival and recovery can be built.

Developing Service Models

The principles set out above lead to several inescapable conclusions about service models.

Woman-centred

Women in prison and women who have experienced imprisonment must be involved in the establishment and management of services.

Independent

Services must be structurally independent of prison authorities. Prison authorities, by definition, have prison security as their primary goal. Services must have the successful decarceration of women as their overriding objective.

Community-controlled

Services must be linked to their communities via their management structures and practice.

Culturally diverse

Services must reflect the diversity of cultures of imprisoned women. Aboriginal and Vietnamese services are particularly urgently required, but culturally appropriate services should be accessible to all.

Networked

Services centred on women in, and after, prison, must be networked between themselves and with other community services that can benefit women surviving imprisonment. No one service can provide the cultural diversity and diversity of practice that is required to meet the needs of all women who are imprisoned. Services and service networks must be able to “broker” specialist services as required. It is vital that the diversity of services available in the community be extended to women surviving prison – to maximise their choices and their prospects of survival and recovery.

Existing models

Human Rights in Action (Canada)

Human Rights in Action (HRA) is an initiative of the Canadian Association of Elizabeth Fry Societies (CAEFS), an advocacy organisation for imprisoned women in Canada. The project involves a number of other organisations, including groups of women in prison and who have experienced imprisonment, human rights and women's organisations.

According to the Vision Statement of HRA the project is:

*...about strengthening women and creating self-reliance to survive the prison experience. We want to increase the abilities of individual women in prison and the organisations involved to work within the spirit of resistance to achieve realistic goals to name and rectify injustices and create a legacy of permanent change.*²⁸

During 2005 HRA is currently developing a Steering Committee, advocacy training packages and contacting potential partners and participants in the project.

Their Steering Committee will consist of representatives of each of the constituent organisations and at least one Aboriginal Elder. The SC will be responsible for developing work plans and ensuring that women in the eight federal prisons and in the constituent organisations are linked firmly to decision-making about those plans. The Committee will work on a "consensus" rather than democratic basis – requiring consensus approval for action rather than a simple voting majority. They are presently conducting meetings in all federal Canadian women's prisons.

HRA have decided that they will work with Correctional Services Canada (CSC) on an issue-by-issue basis, rather than involving prison authorities in the organisation. They will not have any government representation on the steering committee. They are considering establishing a specialised working group of project participants who are willing to meet with CSC.

They have identified a range of documents, including reports of recent human rights inquiries, international reports, reports by prisoners, ex-prisoners and community organisations on prison conditions, for consideration by the Steering Committee in preparation for developing their work plans.

The current objectives of HRA Strategic Work Plan are to:

1. Reduce the numbers of Aboriginal women in Canadian federal prisons by 10%;

²⁸ *Human Rights in Action, Orientation Meetings for Federal Prisons for Women, Oct - Dec 2004.*

Developing community-based service models for women in prison and released from prison in Victoria

2. Increase access to and utilisation of mechanisms for advocacy;
3. Increase adherence to timeframes for completion of documentation, National Parole Board applications, releases and support after prison;
4. Develop advocacy teams of women in and outside prison, prisoners, former prisoners, allies and community supports; and
5. Develop local/regional coalitions to support the local, regional and national teams.

Sisters Inside Inc. (Queensland, Australia)

Sisters Inside Inc. (SIS) was formed in 1992 for the purpose of “ensuring positive changes for women in prison and supporting the successful transition of women from prison to life outside”.²⁹

SIS provides counselling and support services to women and their children, in prison and on release; conducts research and documents issues especially in relation to prison conditions; and lobbies and campaigns at a political and community level for greater recognition of, and action on, issues affecting imprisoned women.

As mentioned earlier in this paper, SIS members include women living both inside and outside prison. In her 2001 history of SIS, *Walkin the Talk*, Kate Warner writes:

Sisters Inside is about relationships. The relationship between the inside and the outside members of SIS provides the foundation on which the organisation functions. This relationship must be built and maintained... SIS must “walk the talk”. Without the trust of the women in the system, SIS cannot and should not function...

SIS functions partly because of the existence of a committed group of long-term prisoners who maintain the organisation within the jail [Brisbane Women’s Correctional Centre}. This group forms the Steering Committee of SIS and is responsible for policy matters within the organisation....

The issue of confidentiality underpins many of the values of SIS. SIS operates on a code of ethics that emphasises confidentiality. The need for confidentiality is extremely important in the context of working with women in prison. The culture of prison is such that any breach of confidentiality can lead to negative repercussions. Prison is not an environment that engenders trust. Any information that exists about a person may be, in some way, used against them. Therefore it is very important for SIS to maintain confidentiality for the women. Confidentiality must be maintained regarding both counselling issues and general management issues...

²⁹ Warner, K., *Walkin the Talk. A History of Sisters Inside*, Sisters Inside, Brisbane, 2001.

SIS has always been a controversial group. In the early days its very existence was controversial.

In addition to generating controversy, SIS has also generated a diverse suite of services for imprisoned women and children (referred to earlier in this paper) funded from a wide variety of state, federal, community and private sources. Several women who participated in SIS programs whilst in jail have returned, on the outside, to contribute to SIS as workers, volunteers or supporters. .

SIS has strong links with the Queensland Murri community and is supported by a large number of respected local elders. Specialist Murri counsellors and support workers are employed by SIS. Murri women played a key role in the establishment of the organisation. SIS provides training and support materials for non-Aboriginal people who work with prisoners and ex-prisoners.

The organisation also has strong working relationships with other prison-related organisations including the local Prisoners Legal Service and prisoners' family support agencies such as the Catholic Prison Ministry.

Establishing community participation and control

The first step in establishing effective services to reduce the number of women in Victorian prisons is to identify the people who will design, manage and deliver those services.

In our view it is essential that women in prison and women who have experienced imprisonment direct the process from the outset.

We propose an interim Steering Committee be formed consisting of two delegates from each of the following organisations, each delegation to include at least one consumer of prison-related, mental health or disability services:

- Aboriginal Family Violence Prevention and Legal Service (Victoria)
- Flat out Inc.
- Australian Vietnamese Women's Welfare Association
- Mental Health Legal Centre
- Prison Ability Victoria
- Corrections Working Group of the Federation of Community Legal Centres

We propose that the primary task of the interim committee be to organise a series of meetings inside Deer Park and Tarrengower Prisons to discuss this paper, and other relevant materials with a view to:

- Testing proposed service principles, goals and models against a diversity of women's actual experiences of imprisonment;

- Discussing the mechanism(s) by which women in prison, and/or groups of women in prison, can take a lead role in service development and management.

We propose that the interim committee appoint a project officer, or project team, to:

- Distribute the discussion paper and other materials inside the prisons;
- Work with women inside to organise the prison-based meetings;
- Document the views and information gathered from women in prison and incorporate it into the developing model(s);
- Support women in prison to organise their committee/s or other structures that will facilitate their participation and control; and
- Investigate and document requirements for potential sources of funding for pilot and ongoing projects.

Funds required:

Activity	Approximate cost
Project officer/s: 4 months, equivalent full-time + 25% oncosts.	\$18,000. (oncosts may be able to be subsidised by participating/auspicing organisation/s with available office space and facilities)
Interpreters to facilitate participation from NESB women in prison-based meetings. Esp. Vietnamese.	Say, 20 hours @ \$70 per hour = \$1400 (Investigate availability of government-funded service free of charge or sponsored)

Pilot projects

We propose that the precise nature of the projects to be piloted should be decided by the above process of consultation with women in prison. The following suggestions are provided for discussion.

The following areas were identified, repeatedly, by people consulted for this discussion paper as areas of urgent need for new or extended services:

1. Support, advocacy and reunification **services for mothers in prison**, and their children – including culturally appropriate services for Aboriginal and CALD mothers and children.
2. Individual legal and health service **advocacy for women at risk of, or experiencing, segregation in solitary confinement** or “wet” cells as a result of mental illness and/or severe emotional distress – including access to independent “second opinions” from community-based health professionals;
3. Access to culturally and methodologically **diverse mental health and other therapeutic services**, programs and support for mental health, domestic violence, sexual assault, drug and alcohol and other issues – with “throughcare” options for continued support following release.
4. Adequate **translation and interpretation services, English classes and materials in languages other than English** for NESB women in prison.
5. Provision of individual advocacy **services for women with disabilities, based on the “consumer advocacy” model** that now operates in most disability services outside prison.

We propose that these areas could form the basis for pilot projects, auspiced by individual agencies or by a consortium of agencies who could work together to establish and evaluate the pilots. Below we have

Kids of mums in jail

As mentioned earlier in this paper, Sisters Inside has extensive experience providing programs and services for mothers in prison and their children. These programs have included specialist services for both children and young people. For example:

Kids of mums in jail camps are for women in prison and their children over a school holiday periods. Through the project SIS assists with the development of parenting skills for women who are about to be released from prison. The project facilitates parent/child contact that would not be otherwise be available to families; provides a safe environment for the children to work through their trauma issues regarding their mother being in prison; provides information to prisoners about family support upon releases; promotes the rights of the children to their family members and provides information and support about combating abuse at home. The most important strategy to this project is that the camps are children focused. This project has been very successful in the reunification of the children and their mothers.

The Crucial Connection Program is designed to “reconnect” homeless young people, or those at risk of homelessness, who have a mother incarcerated, with extended family, work, education, training and with their communities. Counselling & family support provide culturally appropriate and accessible individual support and counselling services for young people, their mothers and families. Advocacy raises understanding of the issues faced by the young people and families of women in

prison for key stakeholders including prison authorities, government and non-government organisations. Resource development develops a range of resources using a variety of media and styles and in languages other than English. Activity programs (including camps and adventure activities) provide access to a range of activities that compliment the other components in this program and respond to the cultural, recreational and social needs of the young people & families of women in prison.

We propose that an agency or agencies work with Sisters Inside to develop programs, suitable for the Victorian context, focussing on mothers in prison and their children.

We propose that, if possible, at least one pilot project should be a specialist project designed for Vietnamese mothers and their children, with leadership provided by Vietnamese women in prison and a Vietnamese community-based organisation such as the Vietnamese Women's Welfare Association.

“Consumer” advocacy for women in prison accessing mental health, disability and/or drug and alcohol services

We suggest that a “brokerage” model, that links women in prison with mainstream, client-centred, specialist services should be considered.

For example, Prison Ability Victoria involves advocates from the **Barwon Disability Resource Council** (BDRC), a service that has recently, provided effective individual advocacy for a woman with disabilities in Deer Park prison.

The BDRC, in turn is a part of the **Disability Rights Victoria** (DRV) consortium of metropolitan, regional and rural advocacy organisations directed by people with disability. They provide individual advocacy, information and support to people with physical and multiple disabilities via their network of advocates located across Victoria. This support may include making representation on behalf of individuals with a disability, helping individuals to advocate for themselves or helping others to advocate for them. They have a particular focus on advocacy for “those most vulnerable to abuse and/or neglect”.

DRV's aim is “to ensure that all Victorians with physical and multiple disabilities enjoy the same citizenship rights and life opportunities as other members of society”.

DRV advocates for the right to:

- Equal opportunity to participate in all aspects of community life;
- Access to the accommodation, support services, education, training, transport, recreation and medical treatment;
- A life free from abuse, exploitation and discrimination;
- The same civil and political rights as any other Australian citizen;

- Control over the decisions that affect life;
- Economic and social security, and a decent standard of living;
- The consideration of the needs of people with disabilities at all stages of economic and social planning;
- The assistance of a friend, family member or advocate to provide representation, if required;
- Information about rights and access to formal complaints systems.

Similarly, the Victorian Mental Illness Awareness Council (VMIAC) is a peak body for “consumers” of mental health services – defined by them as including all “people who have “experienced mental illness or emotional problems”. VMIAC’s constitution commits it to:

- Consumer empowerment individually and collectively;
- Consumer participation in all decisions which affect the life of the individual;
- Promotion and protection of the consumer's civil and human rights;
- Fostering a better quality of life for consumers;
- Development of a better understanding and respect for the consumer's experience from the broader community and service providers.

VMIAC coordinates an advocacy service for individual consumers and works closely with the Mental Health Legal Service.

Currently the VMIAC consists of 82 member consumer groups across Victoria, including specialist groups for parents, consumers in the forensic mental health system, people with a diagnosis of schizophrenia, people suffering depression and one for those who self harm. The groups “enable people to get together, form friendships, networks, engage in social interactions and discuss issues of common interest and concern. In essence, these groups provide an avenue for people isolated through stigma to develop a sense of connectedness and community”.

We propose a pilot project to work with the DRV, VMIAC and/or other appropriate agencies on a “brokerage” model of service delivery to women in, and leaving, prison.

Under this model, an experienced prison-related agency or agencies would work with the participating services to conduct prison “orientation” and training for consumer advocates committed to providing advocacy and support to women in prison. The coordinating service would also assist, if required, in negotiating with prison authorities in relation to the advocacy service. (For example, access to the prison, prison laws and rules etc. See legal issues, below).

Language services for non-English-speaking women

English language classes, and provision of materials in languages other than English, are currently woefully inadequate in Victoria's women's prisons. During this consultation we were advised that this lack has resulted in the isolation of NESB women, as individuals and as communities, from even the support of their fellow prisoners and the limited educational and other programs available within the prisons.

We suggest that a "brokerage model", such as that outlined above, could be employed by a participating agency, or agencies, to source suitable language education services, translation and interpretation services and materials in languages other than English – particularly, in the first instance, in Vietnamese.

Legal and prison advocacy

We are aware that both the Aboriginal Family Violence Prevention and Legal Service (Victoria) and the Corrections Working Group of the Federation of Community Legal Centres have proposals for prison advocacy services currently in development.

Prison Advocacy Committee for Indigenous Women

The AFVPLS Project, for a *Prison Advocacy Committee for Indigenous Women*, has been initiated by Indigenous women in Deer Park and a steering committee has already been formed, auspiced by the AFVPLS. This Indigenous-controlled service will focus on resourcing Indigenous women in prison to collectively and effectively address issues and practices impacting on their basic safety, bodily integrity and human rights such as:

- Strip-searching of Indigenous women and their children and families;
- Removal and/or frustration of access to children;
- Over-classification of Indigenous women in high and maximum security facilities;
- Racist and sexist abuse and violence in prison;
- Mental health, suicide and self-harm issues, and punitive responses to these issues;
- Access to external Indigenous services such as the Victorian Aboriginal Health Service and AFVPLS;
- Responses to Government reviews and consultation on issues directly affecting Indigenous women in prison;
- Access to cultural and education programs; and

- Deaths in custody.³⁰

We propose that this project should be supported by contributing \$25,000 to its establishment and the investigation of on-going funding.

Activity	Approximate cost
Pilot of <i>Prison Advocacy Committee for Indigenous Women</i> – auspiced by the AFVPLS.	\$25,000

Centre for the Human Rights of Imprisoned People (CHRIP)

The Corrections Working Group (CWG) of the Victorian Federation of Community Legal Centres has developed a proposal for a specialist legal Centre for the Human Rights of Imprisoned People.³¹

There are currently five community legal centres involved with the CWG; Brimbank Community Legal Centre, Darebin Community Legal Centre, Fitzroy Legal Service, Gippsland Community Legal Service and North Melbourne Legal Service. Each of the representatives from these centres conducts direct case-work, legal education or advocacy with people in prison, police cells and or immigration detention centres.

The Darebin Community Legal Centre is one of the centres involved with the CWG and has a strong commitment to working with imprisoned people. The DCLC's Committee of Management has identified imprisoned people as one of their main target groups. To this end DCLC was instrumental in establishing the Advocacy Program for Women in Prison (APWP), the Surviving Time Outside Prison (STOP) campaign and the Deaths in Custody Watch Committee (DICWC).

The CWG is mainly involved with systemic social justice campaigning, law reform, submission responses to Government Inquiries and or Reviews as well as community education. They also liaise with, and are represented at almost all the state and national networks that are involved in prison work, and maintain strong international networks. Because the individuals who are a part of the CWG have direct contact with people in prison, they have practical and working knowledge of the system.

Darebin Community Legal Centre Inc. on behalf of the Corrections Working Group is seeking funding for a dedicated worker to research, plan, lobby and write a submission in order to establish a Centre for the Human Rights of Imprisoned People. They are initially seeking a part time worker (21 hours per week), for three months to investigate the feasibility, structure, operations, scope and program for a Centre for

³⁰ AFVPLS, 2005.

³¹ Darebin Legal Service, 2005

the Human Rights of Imprisoned People, as well as ongoing or recurrent funding sources. The worker would be required to liaise with advocates currently working with prisoners, the prisoners themselves and other constituents of the service such as family members, and ultimately prepare a funding submission that involves a model for a CHRIP.

We propose that this initiative be supported on the basis that it be established first in Deer Park and Tarrengower prisons for women prisoners; and that the CWG investigate the possibility of working with the Mental Health Legal Centre to develop specialist medico/legal advocacy for women with mental health issues, particularly in relation to solitary confinement and other inappropriate and punitive responses to mental illness.

Activity	Approximate cost
Pilot of <i>Centre for the Human Rights of Imprisoned People</i> – auspiced by the Darebin Legal Service and Mental Health Legal Service.	\$25,000

Legal and ethical issues

Prison access

Part 6, Division 2 of the Victorian *Corrections Act* 1986 and Part 5 of the *Corrections Regulations* 1998 regulate entry to Victorian prisons by non-prisoners.

Only lawyers in the course of their legal practice, or persons authorised by such lawyers, have a legal right to meet with prisoners and to exchange legal documents, and this right only applies between 8.30am and 3.30pm. Legal visits at other times must be specifically authorised by the prison governor.

All other personal and professional visitors require the governor’s authorisation to visit a prisoner – even in hospital - and must comply with any requirements imposed by the governor.

Under section 45 of the Act prison governors have very wide search powers, including strip searching powers, which may be exercised against both prisoners and visitors, and even persons in the vicinity of prisons.

Regular programs of visits to prisoners therefore rely, legally, on the approval of prison governors.

The practice of routine strip searching of women prisoner before and/or after visits - including professional visits, also depends on the decision(s) of prison governors.

We propose that at least one practicing lawyer should be available within the suite of services contemplated by this project, to ensure that there is at least one person available with legal right to visit prisoners, and to authorise others to do so on her or his behalf.

We propose that the extremely restrictive legal framework surrounding prison visiting and strip searching of women prisoner must be taken into account in service planning processes. We also propose that reform of these laws is essential if truly effective, community-based programs for the decarceration of women and reduction of the numbers of women entering and returning to prison are to be delivered.

Walkin' the talk

The legal restrictions on prison visits and the vulnerability of women prisoners to invasive searches, including strip searches, are just two of the most obvious obstacles to providing ethical and professional community-based services to women in prison.

Many community-based services have found these restrictions, and other prison laws, policies and practices, unacceptable and incompatible with the service models, principles and practices they have developed on the outside.

In our view, community organisations who commit to work with women in prison must be made aware, early, of the kinds of service restrictions and limitations that apply in the prison context.

We warn against any approach that will raise the hopes and expectations of women in prison in relation to desperately needed services – for example, in relation to their children – only to have them dashed when the organisations involved realise that the service models they have applied on the outside simply will not operate in the prison context.

Services who indicate willingness to participate, in either a steering committee role or as partners providing services through the “brokerage” system, must be fully briefed and trained in relation to prison law, practice, politics and culture and must make their decision to continue their participation based on an understanding of the reality of life for women in prison and the organisations that work with them, and stick by them.

We urge that no promises should be made that cannot be kept.

Project methodology

The foundations for this paper were laid at the *Is Prison Obsolete?* Conference held in Melbourne from July 20-22, 2005. Much of the material in the paper was drawn from those conference proceedings, and particularly from the sessions addressed by women in prison and women who have experienced prison, the Indigenous women's Talking Circle and the sessions on mental health and disability issues.

This information was supplemented with a very focussed review of relevant literature and interviews with the following people and organisations:

Organisation	Contact(s)	Date	Phone
Aboriginal Family Violence Prevention and Legal Service (Victoria)	Antoinette Braybrook (CEO)	2 Sept 05	(03) 9654 3111
Flat out Inc.	Dallas Taylor (administrator) Terry Hannon (researcher) Housing and support workers (attended staff meeting)	25 Aug 05	(03) 9417 6984
Australian Vietnamese Women's Welfare Association	Kim Vu (Prisoner support worker)	30 Aug 05	(03) 9428 9078
Mental Health Legal Centre	Vivienne Topp (Lawyer) Merinda Epstein (Policy worker/consumer advocate)	30 Aug 05	(03) 9629 4422
Victorian Mental Illness Awareness Council	Bill Moon (Information Officer)	31 Aug 05	(03) 9387 8317
Prison Ability Victoria	Di Thomson	2 Sept 05	(03) 5221 8852
Barwon Disability Resource Council	Carol Okai	2 Sept 05	(03) 5221 8011
Centre Against Sexual Assault, Royal Women's Hospital	Marg Darcy (Program Manager)	2 Sept 05	(03) 9344 2271
Darebin Legal Service	Donna Williamson (prisoner advocate) Arati Vidyasagar (Coordinator)	25 Aug 05	(03) 9484 7753

Organisation	Contact(s)	Date	Phone

The report author also spoke briefly with the following people, in order to obtain specific information:

- **Jim Sotiropoulos**, Departmental Liaison Officer, Department of Justice Victoria (resources Jenny Mikakos MLA, Chair of the Women’s Correctional Services Advisory Committee [tel (03) 9637 9047];
- **Anatolie Dwyer**, Policy Officer, Strategic Policy and Diversity, Corrections Victoria. [tel (03) 9627 6976]
- **Maud Clark**, Artistic Director, Somebody’s Daughter Theatre Company and member of the Women’s Correctional Services Advisory Committee.