

Qld Alliance – Criminalising Illness? Mental Illness and the Prison System

By Debbie Kilroy © 2005

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Acknowledge traditional owners

Acknowledge the prisoners who have passed before

Acknowledge people here today who have the lived experience of a mental disability – I admire you and your courage

Acknowledge Members of Parliament attending today

Acknowledgements & thanks for the invitation from Queensland Alliance

Firstly I would like us all to take a moment to think of the all the people in Queensland prisons today – over 5,000 of them – remembering those who have been diagnosed with a mental disability. I want you to imagine what they have been doing this morning – what they are doing now. The majority would have been locked down in isolation in the crisis support unit or in the detention unit or in the observation cells in the health centres –

Alone –

Isolated –

If they have been let out of their cells at all and were lucky to have a family member or friend or their children visit them – they would have been able to touch their faces, stroke their hair, hug them tight. – having that special moment that we all here can have and probably did have this morning

At what cost though – after their visit they would have been taken into an area where they would have been strip searched – let me clarify that - in Queensland it is called a dignified strip search – top half of your clothes off, lift your breasts, flick your hair, hold your arms above your head and turn around, then put your bra on, now remove the bottom half of your clothing, turn raise your feet, squat, spread your cheeks and cough – this is Queensland’s dignified strip search and the price prisoners paid this morning for a visit from their children, family and friends.

For those whose behaviour is not favourable to prison staff – left in isolation who didn’t have a visit or attend a program or go to industry – they were probably hand cuffed and body belted – left in a suicide gown in isolation wondering what is happening to them, thinking of their children, family, and friends. Knowing that they cannot touch them speak to them as we all have been able to this morning. And now at lunch time not allowed to eat a meal of their choice or a hot meal as we all are today.

I ask you to remember all of these prisoners now as I speak today.

My name is Debbie Kilroy, I am the director of Sisters Inside, and I work with women in prison and in the criminal justice system. I advocate for the human rights of women in the criminal justice system. I am a qualified social worker and psychotherapist and will be admitted in 2007 as a barrister and it will be 10 years ago in October this year that I myself was a prisoner inside an Australian prison finalising my prison sentence. .

I suppose I see human rights and mental health in a particular way, perhaps slightly differently to some of you.

I look at these things both from the outside in and the inside out. I hear the pleas of women inside, the rhetoric of governments outside, and all around me the echo of stereotypes. That's what I want to talk about today. If we've learned nothing else from the last couple of years of human rights violations in this country, perhaps it should be called: the redundancy of stereotypes. Australians love stereotypes, of course. A bit like Americans. You only have to look at our advertising and our media. Good mothers use a certain kind of margarine and washing powder. Good mothers regard huge piles of dirty washing with a fond smile. People who go to prison have teeth missing and unshaven faces and sly looks on their faces and have names like 'fingers' and have tattoos. People in detention centers are all Osama bin Laden look-alikes. And people with mental health concerns look like Jack Nicholson and live in buildings out of an Alfred Hitchcock movie. That's how lots of Australians saw it.

But then the chief magistrate in Queensland went to prison. And an ex-Qantas hostess was found inside Baxter detention centre. Suddenly, we had to re-examine the stereotypes. Suddenly, we had to face the fact that prisons may not hold just the 'bad', wrong-side-of-the-tracks types in society. We had to acknowledge that mental health does not discriminate but strikes right across society. That governments had been lying to us all for years – prisons are not places where the poor, the black, the abused are given the

opportunity to rehabilitate, and those with mental health concerns do indeed get punished for conditions beyond their control.

As we know a huge number of people with mental illnesses are currently holed up in prisons which are named “correctional centers” right across Australia. I would say prisons have become de facto psychiatric centers – with no mental health professionals inside the walls.

But the truth is that people with mental health concerns are increasingly being sent to prisons where they are not treated, where they are not medicated appropriately, where they suffer the same abuses and deprivations as other prisoners do daily and where their illnesses are invariably exacerbated by their horrific experiences of incarceration. On top of that, the criminalization of mental disability means people are doubly labeled – not just mentally disabled but criminal as well.

Its okay for all of us – we’re told we’re safer when criminals and the mentally ill are locked up in secure institutions. Out of sight, out of mind, but we’re safe, and we can forget them and we do forget them. Why do you think these places are located on the fringes of cities? It’s all very well when we move prisons away from central locations like boggo road, freeing up all that inner city real estate and settling the minds of all those inner city dwellers.

But when we re-build them at places like Wacol, isolation means the prisons and what goes on inside them are largely hidden. We ordinary folk don't have to drive past them every day and friends and relatives find it more and more difficult to access them, especially if they don't have transport.

Try for instance visiting someone in Brisbane women's correctional centre at Wacol without a vehicle, throw in a baby and a couple of kids and elderly grandmother who is caring for these children in the free world and you'd be finding it very difficult to visit your loved one regularly. Apart from friends and relatives though, who is going to worry about the inaccessibility of prisons?

These are the stereotypical crims and mentally ill in there – scary people – why would we worry? They're locked up and we're safe.

Well, this is the reason we worry: because these places are microcosms of our society, that's why.

They are a measure of our arrogance, our greed, and our willingness to blame the victim. Of our unwillingness to look beyond our own needs and wants to those less fortunate. We can measure our own humanity by the way we treat our most vulnerable. And women in prison, in particular, are the most vulnerable. With the criminalization of mental disabilities, more and more women are joining those ranks.

But we go on making ourselves feel better by believing the lie that these women are locked up to protect us and themselves, that these are newly built institutions with all the mod cons and services, where they will get appropriate treatment and opportunities for betterment so they can emerge in better shape. Where the buildings look so nice and clean – painted in such pretty colors which look so nice to your human eye.

It is all a lie.

It's the lie we're told about all women in prison.

And if you care to check the Hansard just released for the August 4th 2005 sittings of the Senate Inquiry into Mental Health, you'll see why the words 'treatment' and 'care' and 'rehabilitation' and 'community safety' are euphemisms.

On that day Michelle who Sisters Inside has been supporting for many years told the harrowing story of her treatment at the hands of the Queensland Corrective Services Department and also the Health Department. Both have failed her spectacularly but it was corrections where she was brutally abused and her condition actually set back and aggravated.

Not only was Michelle isolated inside Brisbane women's prison but her regular medication was abruptly stopped as soon as she arrived, and then, because she naturally reacted badly to this sudden cessation of medication and was showing signs of trauma not

just from that but from her treatment in isolation, she was further punished by being placed in detention – in the coyly titled crisis support unit – where she was body-belted, double handcuffed, placed in a suicide gown and kept on constant observation and scrutiny. This meant, for instance, that she lived and slept 24 hours under constant light. The light was never turned off. She was assaulted, verbally abused, and treated, in her own words, animalistically.

Nor was Michelle treated well or properly by mental health services outside, where she was constantly turned away by the health department and hospitals and her obvious distress dismissed.

You need to be aware that her experiences are not unique.

The now the notorious case of Cornelia Rau proves that. How a woman with a severe mental disability can end up spending months and months first in a Queensland prison and then in a detention centre for people who have only tried to escape trauma and torture in their own countries and come to Australia still stumps many people.

It's a case that illustrates how, when no one is watching, abuse breeds. Secrecy breeds it.

Just over a year ago Sisters Inside was locked out of Brisbane women's prison after we filed a human rights complaint against the qld government alleging the systemic abuse of

women in prisons. Prison staff threatened to go on strike if we were allowed back into the prison.

Just prior to this, our staff had begun to see a woman inside the prison who was using a couple of different names and who was making claims of abuse against prison staff. A woman with obvious mental health concerns and terrified of the environment that was holding her – the prison. Before we had a chance to actually assist Cornelia properly we were, as I said, locked out, our services severely curtailed. We had no way to scrutinise her treatment or to advocate for her, or for any other women for that matter; to point out the obvious abuses that were and continue to be perpetrated inside those walls.

I have to say here that I am fully supportive of the prison mental health unit where just one and a half workers try to cover the mental health needs of nearly 3,500 prisoners and presently with 61 open cases in the women's prison and approximately 550 open cases in total. I applaud their work and commitment. How can they deliver effective services when they are so under-resourced? But under resorting seems to be the modus operandi of this government and many others when it comes to service delivery.

Certainly the health system in this state is testament to that.

One of the ways now being suggested to deal with the obvious crisis in mental health is to divert those with mental disabilities who inevitably fall foul of the justice system to a special mental health court.

But to my mind this merely extends the criminalisation to people who should not be criminalised in the first place.

Let's look at the last great experiment in diversion tried by Britain two centuries ago – when boatloads of people who were victims of poverty and abuse and those who were ill were shipped to the colonies – transported – for their sins – to Australia.

It is up to people like us, the lucky ones, the privileged, and the educated; because we still have our voices and can make them loud, and will not be silenced. We have to speak now for those who have been silenced. We have to take that extra step and be brave and give voice to people hidden away in the dark corners of our prisons. This is how governments get away with things – when people remain silent. We have to challenge government about their treatment of the vulnerable, the sick, the disadvantaged, the deprived, and the abused. That means we have to speak up, even if it means we in turn are punished, as sisters inside has been, for daring to.

We need to demand the decarceration of people who have a mental disability now. We the brave – it is time to speak up

As Martin Luther King said

Injustice anywhere is a threat to justice everywhere.