

# Alternatives to Punishment

Acknowledge the traditional owners

Acknowledge CPM, ATSILS, Centre for Social Justice, PLS

As an abolitionist I have been asked time and time again – what are the alternatives to prison – this always seems to be the starting point in the discussion about alternatives to punishment but we don't get to far because the majority seem only interested in what do we replace prison with.

This, to me, is a very narrow view about alternatives to punishment because it seems as though prison has become the landscape in our subconscious (when you think crime you think prison automatically) which narrows how we discuss alternatives to punishment. Most seek a single alternative and can't think any broader in relation to one of the fastest growing industries in the western world..

As Angela Davis comments, "people tend to take prisons for granted", reluctant 'to face the hidden realities within them'. She continues... the prison is present in our lives and, at the same time, it is absent from our lives. To think about this simultaneous presence and absence is to begin to acknowledge the part played by ideology in shaping the way we interact with our social surroundings. We take prison for granted but are often afraid to face the realities they produce.

So as an abolitionist the starting point for me is "[P]ositing decarceration as our overarching strategy to alternatives to punishment, we would envision a continuum of alternatives to imprisonment – which include -demilitarization of schools, revitalization of education at all levels, a health system that provides free physical and mental care to all, and a justice system based on reparation and reconciliation rather than retribution and vengeance.

The dilemma is the conflict of abolition (our dream) and incarceration (our reality).

How do we accomplish this balancing act as abolitionist's. This balancing act of passionately attending to the needs of people in prison – calling for less violent conditions, an end to sexual assault, improved physical and mental health care, greater access to drug programs, better education and work opportunities, unionisation of prison labour, more connections with families, children and communities, shorter and alternative sentencing – and at the same time call for alternatives to sentencing altogether, no prison construction, and abolitionist strategies that question the place of prison in our future.

The alternative to incarceration, whatever the misrepresentation of abolitionism in the popular media, is not unidimensional but a 'constellation of alternative strategies and institutions' providing a 'continuum of alternatives'. As outlined stated previously.

Only through eradicating the foundations of structural inequality can its institutional manifestations be eroded and the underlying roots of violence of incarceration be tackled.

Those of us who live and work with people in the criminal injustice system experience on a daily basis the unjust policies and laws enforced by the State to the detriment of the most disadvantaged in our communities - The poor, the young, Indigenous peoples, those who have a mental illness and the disabled.

Before I introduce our speakers tonight I would just like to quote Nelson Mandela. He said ....

*The challenge for every prisoner is how to survive prison intact, how to emerge from a prison undiminished, how to conserve and even replenish one's beliefs. The first task in accomplish that is learning exactly what one must do to survive. To that end, one must know the enemy's purpose before adopting a strategy to undermine it. Prison is designed to break one's spirit and destroy one's resolve. To do this the authorities attempt to exploit every weakness, demolish every initiative, negate all signs of individuality – all with*

*the idea of stamping out that spark that makes each of us human and each of us who we are. Nelson Mandela (1994: 340 – 341).*

Speakers here tonight come from very different backgrounds and life experiences. We have interstate and international speakers and speakers from our home town of Brisvegas.

Before I introduce you to our speakers I would like to share with you how this forum came about. I received an email last year from an ally interstate who have come across a flyer advertising a conference that would focus on building bigger prisons. As I read through the draft program it was not surprising to see the Frank Rockett the then DG of Corrective Service keynote was called “Not in My Back Year: Procuring Land for the Gatton Prison Site”

I was not surprised that corrections are leading the charge of this appalling agenda, considering how Spence lead the charge and securing the building of the biggest prison in Australia at Gatton. 4,000 cells 2 hours outside of Brisbane. Spence in her policy as Minister for Corrections has been nothing more than punish punish punish and prison prison prison.

She has been so predictable but the scaryness of her predictability is her target which we all know has been, and continues to be, the most disadvantaged people in our communities who have no voice and can be disposed of in the bowels of Queensland maximum prisons and forgotten.

This government has enacted and repealed laws that take away any accountability that people in prison had access too, to have illegal and human rights breaches remedied. The accountability processes of today all lead back to Spence and her department. The abusers investigating the abuse.

So just last week I then received a copy of the program of this conference that has been kept fairly under radar. It commenced yesterday here in Brisbane with workshops on the A – Z of Prison Planning and Design; and today the actual

conference commenced – Prison Planning, Design and Development and announces “Future Proof your Prison Facility”

I have to be honest when I started reading the program I felt physically sick and still do. What made me feel even more uneasy was that Spence and Queensland Corrective Services endorsement has disappeared from any advertising.

It states on the program that the conference has been organised by the International Quality and Productivity Centre and has an office based in Sydney NSW. When I searched the IQPC website there is no identifying person that can be contacted to find out who are the company directors and what drives such an organisation. So I rang them today to ask who are the directors or the CEO of the company. This was like extracting hens teeth.

They said they would call me back but only after I gave them all my information as to who I was, where I was from and what is my interest.

After searching a bit further, I was informed that Mr Charlie James is the Managing Director of IQPC and when I typed his name into the IQPC’s website it doesn’t register his name on the company’s own website.

I am now thinking what is the secrecy about but then again if you are organising conferences to ensure the building of bigger prisons on the backs of the most disadvantaged in Australia, then their culture would be the same as prison culture – taking all of my information from me but they are totally silent and secretive about theirs. Was I surprised.....??? NO

So instead of being frozen, last week, with that feeling of being sick I decided to contact allies with the idea to organise a forum that would offer discussion and debate about alternatives to punishment – not building bigger prisons – which are always built on the backs of the most disadvantaged in our communities.

And here we are.

Dr Bree Carlton my friend and comrade from Victoria who has and continues to undertake such progressive work including the exposure and analysis of the real use maximum security units and prisons. Bree talks about how we need to have a debate around the continual use of maximum security prisons and that debate requires a focus on human rights, reason and humanity rather than retribution. Simplistic, populist law and order campaigns are effective in drumming up popular fears and prejudice through the use of imagery associated with racial otherness, social inadequacy and above all dangerousness.

Prior to her academic career Bree was involved in community radio broadcasting and also worked as a freelance producer for the ABC Radio National social history unit.

Breen completed her doctoral thesis in 2005. She was awarded the Vice Chancellor's commendation for excellence in doctoral research one of two competitive awards for exceptional candidates nominated for research excellence across the Arts Faculty. Bree's doctoral thesis focused on the controversial deaths and prisoner protests in the Pentridge Prison Jika Jika High-Security Unit in the 1980s and will be published by the Sydney Institute Federation Press Series in 2007.

In 2005 Bree was a recipient of the Australian Academy of Humanities Travelling Fellowship for her research on women and political imprisonment in Northern Ireland. In February and March 2006, Bree travelled to Belfast, Northern Ireland to conduct interviews with Republican women former prisoners about their experiences of resistance and survival in prison and in the community post-release.

Bree will talk to us tonight about the need to consider alternative, rehabilitative rather than destructive solutions when considering and implementing alternatives to punishment.

Keith Hamburger AM is a former Director General of Corrective Services in Queensland and is currently Managing Director of Knowledge Consulting Pty Ltd. Keith has many years of experience in prison reform. He has written papers and

given presentations on the underlying causes of crime and the need for a national response to achieve best practice outcomes in crime reduction.

I know that Keith has stated in the past that he has:

*a healthy feeling of dissatisfaction that in the midst of all our success, our social and legal systems' uncreative, blinkered and uncoordinated approach to the underlying causes of social breakdown and crime is reducing our quality of life and condemning abused and neglected children to becoming cannon fodder for the criminal justice system.*

*I believe that we must and can do better. I know we have the ability, we have the human and financial resources, all we need now is an understanding of the challenge we are facing and a commitment to address it".*

Michelle Howard – Public Advocate - The role of the Public Advocate is systemic advocacy which promotes and protects the rights and interests of adults with impaired decision-making capacity. Michelle's role is fundamental, especially for those who are in prison, languishing and being dehumanised by this brutal system. Michelle will talk about how we could do things differently for people with impaired decision making capacity to ensure they are not brutalised under the umbrella of the criminal justice system.

Juliet Lyons is Director of Prison Reform Trust in the UK and Secretary General of Penal Reform International. We are delighted that she accepted our invitation to speak to us all tonight and bring an International focus to our debate around alternatives to punishment. Juliet has an interest in area of mental health and education. Juliet has been quoted as stating that In UK prisons, those with mental health problems are doubly punished, since resources to help them are woefully inadequate and Vulnerable people with learning difficulties who commit crime can end up lost in a system they do not understand.

Juliet we welcome you to Queensland and look forward to your perspective on Alternatives to Punishment.

Open for discussion.....