

Sisters Inside – Submission – March 2003

Poverty in Australia Inquiry

**Sisters Inside Inc. is an independent community organisation,
which exists to advocate for the human rights of
women in the criminal justice system in Queensland,
and to address gaps in the services available to them.
We work alongside women in prison in determining
the best way to fulfill these roles.**

Sisters Inside is an independent community organisation that began in 1992. We are a group of women who work with women in prison. Our Management Committee is made up of women in prison, ex inmates and other interested women from the community who want to challenge the injustices of incarceration of women in prison and their children and families. Sisters Inside's Management members include indigenous women, women from non-English speaking background and young women. We believe it is important to be representative of the population of women in prison. Sisters Inside's Management Committee meets regularly in the prison and identifies gaps and high need areas within the prison system and mental illness is an identified area of great concern for women in prison presently.

Sisters Inside involves women in prison in all levels of the organisation. This creates the success of the programs we implement inside the prisons as we have the trust and respect of the women. Sister Inside also maintains confidentiality as the organisations highest priority for women in prison and their families.

Current Programs of Sisters Inside include:

Women's Transition Program

This program works with women about to be released back into the community and supports the women, their children and families through this process. This transition period is high need for women. In a 2 year period **20** women died just after their release back into the community from either drug overdoses, suicide or from a domestic violence situation. This program, funded by Family and Community Service, aims to reduce the deaths, recidivism and provides support for the women; their children and families through this transition period. In the 12 months of this program **403** women were supported; **341** released and survived (no deaths); **332** succeeded on release (9 women returned to prison); **62** women at the time of collating statistics were still in prison; 56 women from non-English speaking backgrounds (16.4%); **117** were Aboriginal women (34.3%); and **72** young women under 25 years (21.1%). This program was highly successful, however, the funding is no longer available and we are witnessing women being returned to prison and dying. This program reduced recidivism drastically and we would hope that the Federal government continues financial support. The submission to continue this program has been with Minister Amanda Vanstone for over 18 months.

Sexual Assault Counselling Service

Sisters Inside employs 2 sexual assault counsellors, one indigenous, and one non-indigenous. This program was established in 1994 because 89% of women in Queensland prisons have been sexually abused at some time in their life; with this abuse being one of the significant contributing factors to their offending. In 2002 **2430** women were counselled in relation to their sexual abuse and **518** were supported by phone. There were **236** new referrals and the workers also supported **102** family members and **59** others. This program is highly successful and is funded recurrently by Queensland

Health. There is strong evidence suggesting women in the criminal justice system are a highly concentrated group of women who have experienced violence during some time in their life

Early Intervention Program – PEEK

This early intervention program is for mothers in the 4 prisons in Southeast Queensland and their children. The program focuses on pre and post release to ensure positive reunification on the family unit. The program will provide comprehensive services that are designed to build protective factors, which seek to reduce the risk of delinquent behaviours and intergenerational cycles of crime.

170 women received Early Intervention Parenting Program in each of the 4 prisons; **203** women participated in the parenting program; **57** women and **63** children participated in 5 day reunification programs; **203** women and children participated in counselling and supported; **30** Indigenous women and **42** of their children participated; **13** NESB women and **14** of their children participated in the program; and **160** non indigenous women and children participated.

Kids of Mums in Jail Project

The camps are for women in prison and their children over school holiday periods. The central focus of the camps is development of parenting skills; parent - child contact; provides a safe environment for the children; issues surrounding family separation; provides referral information regarding post release family support; promotes the rights of the children; and provides information and support about combating abuse at home. The camps are children focused. This project is crucial regarding the successful reunification of children and their Mothers. **75** women and **104** children participated in the program in the last 12 months.

Youth Crime Prevention Program

This program has enable a group of young people whose Mothers are in prison to develop a resource kit that assists young people regarding issues that are raised for them while their Mums are imprisoned. The program provided referral and information concerning organisations that support young people whilst their mums are imprisoned. Young people were involved in activities that enhanced their self-esteem and confidence.

During the development of this program Sisters Inside was made aware of two young people suiciding within three weeks of their Mothers release from prison. Many of these young people are homeless, self-harming, excluded or suspended from school, drug and alcohol misusers, and/or reside in violent environments. Department Families, Youth & Community Care funded this program.

Crying Walls (Drug & Alcohol Primary Prevention Project)

This project was funded by the Commonwealth of Australian National Illicit Drug Strategy Community Partnerships Initiative funds. The project incorporates educating young women in prison about the effects of drug and alcohol use and/or misuse with particular focus on harm minimisation; the social, physical and mental effects of drug and alcohol use (particularly intravenous drug use), and probable alternatives to drug and alcohol use. The program also provides appropriate follow up, counselling and support. This program is also delivered utilising problem based learning methods. **179** young women participated in the Problem Based Learning Modules, **201** women participated in the Groups Counselling sessions, **258** participated in one to one counselling sessions, **159** women participated in focus groups and the final evaluation of the project was highly successful. However, due to no funding being available this project has finished and the women have no support in regards to drug and alcohol issues. Sisters Inside believes this unacceptable as over **80%** of women are in prison for drug related crimes.

Children's Booklets

These booklets focus on the children of women in prison specifically trauma, grief and loss they've experienced because of their Mother's imprisonment. A young Aboriginal boy who's Mother was in prison wrote these booklets. The booklets provide the children's Mothers, caregivers and other service providers – government and non-government with an understanding of the impact and trauma the children experience due to their Mothers imprisonment.

Release Kit – Indigenous and Non Indigenous Kit

The kit covers nine areas that women in prison have identified as information they require upon release from prison. The areas include transport, accommodation, parole and/or home detention, finances, custody issues, legal issues, family, well being and relationships. All women in prison in South East Qld receive a release kit.

Research Projects to Identify Needs of Women in Prison

Sisters Inside has undertaken two recent research projects: a) the effects of domestic violence on women in prison and b) the needs of women from non-English speaking backgrounds when in prison. Sisters Inside is currently undertaking post release mortality research specific to women.

Crucial Connection Program (CCP)

Improving the level of connection of homeless young people or those at risk of homelessness who have a mother incarcerated with extended family, work, education, training and with their community. 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 in other than English language groups. Building links provides information, training & communication processes for key stakeholders impacting on the young people of women in prison. Activity programs 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 and families of women in prison. To date over **200** children have been supported within this program.

Sisters Inside's Statistics

Sisters Inside has been able to collate the following statistics from their collaborative work with women inside. The latest research conducted and published by Sisters Inside, *When Will You See The Real Us?* (Kilroy 2000) interviewed 100 women incarcerated in the Brisbane Women's Correctional Centre during 2000. The majority of the statistics below are drawn from this source. Another survey is under way awaiting collation of data.

Women in Prison

- The total number of beds for women in the five correctional prisons in Queensland on any one day are:

Brisbane Women's Correctional Centre, Wacol	Population	270
Helena Jones Community Correctional Centre	Population	50
Numinbah Correctional Centre, Numinbah	Population	45
WORC Program, Warwick	Population	15
Townsville Women's Prison	Population	100
Total Female Population in Prison		470

This population of women incarcerated has tripled since 1994.

- Because of the nature of crimes that women commit (receiving short-term sentences), there is a very high turnover of women through the prison system annually. Sisters Inside has calculated that approximately 1,300 women move through the prison system each year.

Indigenous Women

- Indigenous women are significantly over represented in custody comprising 29.4% of all women under custodial orders. These women do not access community custody options to the same extent as non indigenous women.
- The growth rate of Indigenous women in prison in Queensland during the period from 1994 – 1999 was 204%.
- The majority of the indigenous women in prison are between the ages of 25 – 34 years.
- The increase of indigenous women in prison under 25 years has increased rapidly over the last 5 years.
- 89% were not in paid employment prior to arrest.
- 68% have below year 10 education.
- 89% have been victims of sexual assault.
- 89% have been victims of family violence.
- 85% are mothers with an average of 2.5 children.
- 80% are involved with substance abuse including alcohol
- 63% have known prior adult imprisonment.

Non Indigenous Women

- Approximately 55% of women in prison are non indigenous.
- The majority of the non-indigenous women in prison are between the ages of 25 – 34 years.
- The increase of women in prison under 25 years has increased rapidly over the last 5 years.

- 87.34% were not in paid employment before incarceration.
- 89% have been victims of sexual assault.
- 98% have been victims of domestic violence.
- 85% are mothers with an average of 2.5 children.
- 85% are involved with substance abuse.
- 63% have known prior adult imprisonment.
- Literacy levels are lower than for the general Australian population
- 70% report that they have used heroin in prison.
- 65% self reported that they have attempted suicide and/or self harm.
- 80% report that the self harm occurs whilst in prison.
- There have been nine deaths in custody in the past ten years – one a murder, 5 suicides, one of natural cause and two due to lack of medical attention.
- In the period of two years from 1999 – 2001, 20 women have died within the first 12 weeks after release from prison.

Non English Speaking Women

- 15% of women in prison are from a non English speaking background.
- Approximately 90% of these women are primary care givers.
- 89% have been sexually abused.
- 98% are victims of domestic violence.
- The majority of these experience overt racism within prison.
- These women do not have regular access to interpreters.
- There is no translation in any form for these women to understand legislation, policies and procedures whilst in prison,
- They are usually alienated from their own culture.

Young People

- 100% of children and young people whose mother was their primary care giver before her incarceration, experience trauma of family breakdown.
- There are approximately 1,065 young people whose mothers are in prison.
- It can be assumed that 25% (265) of these young people are indigenous.
- 15% (159) are from non English speaking backgrounds.
- 43.75% of children who have a mother in prison enter the care of the Department of Families..
- Currently there are over 30 mothers in prison who have one of their children and have had one of their children in custody (detention or prison).

Community Impact

The impact on the immediate community, hardship for families and young people post release:

- Many families are plunged into a series of almost insurmountable difficulties when their mother is released.
- Re-claiming the role of mother after considerable absence and often with little or no contact during the period of incarceration.
- Young people trusting that their mother's behaviour has changed and the same dysfunctional cycles of violence, drug use and trauma will not be repeated.
- Finding housing – 92% women need housing on release but the process is made difficult by lack of bond money and reference for rental housing and difficulty in accessing housing services from prison and racist attitudes for indigenous families within relevant Departments.
- Drug related issues particularly in relation to choice of housing and especially for those women on treatment programs.
- Financial and emotional support – most women have little or no money on release and few personal belongings. Most will return to living under the poverty line.

Young People who have a mother in prison

It is estimated that there are 1,065 young people per year whose mothers are incarcerated in Southeast Queensland. During 2000, Sisters Inside provided a service to 562 young people whose mothers were incarcerated. Services included information via telephone (177), counselling (94), transport (76), networking and referral (243), and support and assistance (104), Sisters Inside Annual Report (2000).

All of these young people experience the trauma of family breakdown. Family breakdown often leads to levels of behavioural and emotional problems higher than other young people. The impact varies according to their age, sex and role in the family. Most young people feel responsible for the breakdown. They may think they are making things easier by appearing to cope with the situation, by trying to be quieter, and by not saying how they feel. However, most young people may bear emotional scars that in many cases can last a lifetime.

Sisters Inside has found that young people of women in prison are further traumatised due to their experience from the time their mother has been arrested, her incarceration until she has been released and moved through the transition process back into her family and community. Many young people experience confusion, abandonment, fear, anxiety, shock, deep sorrow, loss and anger when their mothers are first incarcerated. Many end up homeless, turn to drugs and alcohol, truant or are expelled from school. Some of them attempt suicide or self-harm. Over 80% of young people are living in unsafe violent environments when their mother is in prison. Many are at risk of developing a mental health problem. 42.75% of children who have a mother in prison, enter the care of the Department of Families, some voluntary due to no other carers being available, or involuntary due to previous issues with the parenting by the mother or the environment that are living in. Some of these placements are inappropriate.

There is a concentration of these young people living in South East Queensland, as often they will strive to be close to where the mother is, which can be in any of the following

prisons: Brisbane Women's Correctional Centre Wacol, Helena Jones Community Correctional Centre, Numinbah Correctional Centre, WORC Program Warwick or the Crisis Support Unit. However, living with other family members, being placed into care, or not have anywhere safe to live, can result in these young people living in very isolated situations across Queensland and sometimes interstate. When a mother is released, she may choose to return to her local community or move to another community, which further impacts upon the young person's life.

Initially through an Action Research Domestic Violence project (1997) and its continued work with women in prison, Sisters Inside found that some young people have sporadic if any contact with their mother whilst incarcerated. This particularly relates to women serving long-term sentences. For young people, the impact of limited or no ongoing relationship during adolescence is sometimes not possible to regain. Such circumstances can obviously result in these young people being more vulnerable to ongoing abuse and their own future institutionalisation.

Further, in the previous Kids of Mums in Jail program (2000), the separation, and grief and loss issues that young people experience were highlighted. Almost all young people of women in prison who attended the reunification programs had had limited opportunities to talk about their experiences of their mother being in prison. Shame, fear of criticism and teasing, confusion, the existence of relatives who rejected the mother after incarceration and lack of knowing who they could speak to and trust were identified as barriers to talking. Additionally, difficulties communicating with their mothers were highlighted. Often a mother does not have time to explain her imprisonment and say goodbye before she is incarcerated. Then at visiting times in the prison (i.e. one hour every two weeks) there is little time to discuss these matters, as well as it is often not the "right place" (lack of privacy).

The transition period of the mother moving back to her family and her community is also very traumatic not only for the women but also her children. In the period between 1999 – 2001 and within the three-month transition period, 20 women have died from either

drug overdose, suicide or from a violent partner. Two young people have suicided within three weeks of their mother's release from prison in the last six months of 2000.

From ten years experience, Sisters Inside now identifies different stages of trauma and support needed for these young people whilst reconnecting them with their mothers. "The Crucial Connection" plays a critical role in supporting a young person work through their trauma and grief, ensure that contact between a young person and their mother is maximised and that family reunification after release is supported on an ongoing basis. In the long term, it is expected that "The Crucial Connection" also contributes to a reduction in recidivism within the women's population as well as impact on inter-generational incarceration and the risk of young people entering care.

Crime in our communities does not just harm the victims. It has a horrific impact on families. Further, women who are in prison have been victims of horrific crimes throughout their lives so it is not easy to distinguish between "victim – offender".

Women also experience sexual assault by the State once imprisoned, in Queensland, this is mandatory after every family contact visit. They are seen as a deserving group to allow criminal assaults against them. This abuse must stop in the prison or women will continue to be in the victims in cycles of violence. Women also experience other forms of violence under the guise of rehabilitation. The areas the submission will focus on are, strip searching, detention unit, and the crisis support unit (CSU).

Strip Searching

The *Corrective Services Act 2000* includes the following provision:

26A(1) The chief executive is authorized to give directions, by instrument in writing, to a person in charge of a corrective services facility requiring the strip searching of prisoners as stated in the directions, including for example at the times stated in the

directions and further, s26A(2) The person in charge **must** order prisoners to be strip searched as required under the direction.

This legislation runs counter to the preservation of basic human rights of prisoners:

- that strip searching does not prevent drugs or other contraband entering the prison, as an FOI search for records between August 1999 and December 2001 reveals that no drugs and virtually no other contraband were discovered.
- that strip searching is a violent practice which is effectively a criminal assault and, in the case of women who have been sexually abused, revictimises these women. Sisters Inside statistics indicate that 89% of women in prison have experienced sexual abuse.
- that Australia is signatory to United Nations covenants which prohibit torture and other cruel, inhuman or degrading punishment or treatment. Because routine strip searching has no effective outcome (see FOI statistics), it must be seen as simply a mechanism for punishment, control and violence against women.

Women are refusing and ensuring that their families don't visit them whilst they are imprisoned. This is due to the impact of strip searching. This impact of strip searching has ensured that family breakdown is part of a woman's sentence. Strip searching is no more than sexual assault by the STATE and is used as social control over women in prison.

Strip searches of prisoners are justified on the basis of keeping the prison drug and contraband free. It is interesting to note that the records, obtained by Sisters Inside through Freedom of Information, state that for the first 12 months between August 99-August 2000, 12,136 searches were conducted on women in Brisbane Women's Correctional Centre of these 5,346 were full body strip searches one of which was conducted on a baby. The latest FOI records state that there has been 17,191 searches with 8408 full body strip searched conducted in the last 24 months, from August 1999 to August 2001.

According to the Department, visitors pass illicit drugs to prisoners. Since strip searches have been conducted as a matter of mandate after all visits in the women's prison at Wacol since August 1999, the contraband recorded were two cigarettes, earrings, sanitary pad (no blood) and a scratch from the window to the door and a foul odour.

It is difficult to understand how the pad, the scratch and the foul odour can be considered contraband but corrective service records have identified them as such. In spite of the comprehensive practice of strip searching drugs still get into the prison. Furthermore, you may have noticed that in the last 12 months of the strip-searching records the number of searches have decreased by half. Reason for this is due to women asking that their children and families not to visit them because they cannot face being sexually assaulted through the mandatory strip search after a family visit.

Strip searching is an abusive practice which is effectively a criminal assault and, in the case of women who have been sexually abused, revictimises these women. Sisters Inside statistics indicate that 89% of women in prison have experienced sexual abuse.

Further, women we have spoken to have also pointed to the long-term detrimental effects of punitive prison policies and methods of surveillance and detection. So too have researchers in Australia and abroad¹. Practices such as strip-searching and urinalysis are mentioned as being amongst the most demeaning and humiliating aspects of imprisonment. Mary, in her discussions was adamant in saying 'strip-searching is a form of sexual assault'². Dot described the process in this way:

Jail takes away your self-esteem as it is. And in a number of ways. The strip searching, you know. Like this bending over business and parting your cheeks, that was never for women anyway. That was for a male's jail. Not for a woman's because

¹ Carlen 1983; George 1995; Hancock 1986; Genders & Player 1987; Major 1993

² Interview with Mary, March 2000

women don't put things in their anuses anyway. So why does that rule apply for the women? All that is very degrading...To me its all very sexual, in an abusive way³.

In Victoria the aim of strip-searching is, in theory, to prevent the introduction of contraband, most particularly drugs, into prisons. Nonetheless, numerous commentators in Victoria and elsewhere have identified the over-prescribing of prescription drugs to women inmates as a major source of concern and, in some cases, as a mechanism for controlling women inmates. Others have suggested that prescription drugs are sometimes sought after by women seeking to ward off the effects of withdrawal, replace other substances or alleviate stress and anxiety (Carlen 1983; Denton 1994; George, 1995; Genders & Player, 1987; Major 1993; Pinnuck 1998). Whatever the explanation, it is clear that this practice takes on a new and even more concerning dimension when one considers the prevalence of post-release deaths caused by mixed drug toxicity. As Mary explained 'Pills only suppress everything. There's no addressing their problems'.

All these practices ensure family breakdown and further trauma for women in prison. There seems to be major inconsistencies in relation to keeping the family united and continual abuse of women through legislative and policies of Department of Corrective Services.

Breaches

'Breaches' are an internal prison discipline where women are placed in total isolation in a detention unit (DU). Cameras are used on a 24-hour basis for surveillance. There is no privacy for using the toilet or showering. No communication of any form is permitted. This includes no books, TV, radios or any form of contact with other women. Although horrific for women, this practice of isolation, the most horrendous part of the experience that the women talk about is that they know that male screws may be observing them, which escalates the trauma of the whole experience. This punishment through breaches may be meted out for offences including: assault; drug use; insubordination towards

³ Interview with Dot, March 2000

prison authorities; hanging towels on cell doors; smoking in cells; obscene language, walking on the grass; and alarmingly in some cases women are punished for self harming behaviour.

In September 1999 a woman on remand was driven to suicide by hanging herself with plaited wool the night after her release from the DU. Sisters Inside was informed that she had been placed in the DU for two days because she was in possession of prohibited articles (which were incense sticks that were sent to her through the prison mail system and having a towel with a hole in it) for two days. She was released and then returned to the DU for a further 24 hours for swearing at a senior officer. After the alarm was first raised prison staff were reluctant to open the door because they thought she was in the corner and about to attack them. One and half hours later they finally gained entry and found her dead. It was reported to us that a senior member of staff was heard to repeatedly lament “my new jail, how could she do this to me”. This whole incident indicates that prison authorities were totally lacking any consideration or empathy for the disastrous impact of severe isolation⁴.

Crisis Support Unit

Women who are considered that they are at risk of self harming or will harm others will experience a further level of isolation and torture. They are sent to the Crisis Support Unit (CSU) which is located in a male prison. Crisis Support Unit orders s43 can be up to 5 days if the woman is at risk of self harming as identified by a screw and up to 3 months in length if the woman is at risk of self harming or at risk of harming others as identified by a doctor or psychologist. However there is a young woman who has been on consecutive CSU orders for over 3 years.

The staff are predominantly male and women have reported that “they were asked by a male officer monitoring the cells to perform sexual acts for the entertainment of male

⁴ Kilroy, D & Warner, A (2002) *Deprivation of Liberty, Deprivation of Rights Prisoners of Citizens*, (eds) Wilkie & Brown.

officers” (Courier Mail 9th September 2000). In another incident in Townsville three women reported that they were placed in straight jackets, denied water for long periods of time, given no access to toilet facilities and were forced to drink their own urine (Townsville Bulletin 21st June 2000). These incidents may not be the norm for the CSU but if any such incidents occur it is a clear and undeniable violation of the human rights of prisoners and is indicative of the sort of abuses which inevitably occur within isolated institutions. Furthermore, the women are strip searched three times a day and again if they have visits. The greater the isolation the greater propensity for abuse⁵.

The Power of Language⁶

Language is a very powerful tool used in society and we submit that use of language ensures long sustaining criminalisation of women who have committed a crime. Therefore please note the use of language that we believe appropriate for women in our community that have served prison sentence or are presently in prison.

It is through language that the process of dehumanization becomes acceptable just as the “process of humanization is not founded in the conscious production of the necessities of life (Marx) or in the use of tools (Rousseau), but rather in the use of language” (Horster 1992:63).

Reality vs the *covert* power of *Euphemisms*.

Imprisoned, Incarcerated, Jailed **not “managed”**.

Prison, Jail, Lock-Up

⁵ Kilroy, D & Warner, A (2002) *Deprivation of Liberty, Deprivation of Rights Prisoners of Citizens*, (eds) Wilkie and Brown.

⁶ Gayle Horii, ex prisoner, Canada, discussed the concept of language in depth in “Advocacy”. The discussion in this paper has been rewritten by Debbie Kilroy for relevance to the State of Queensland in relation to women in prison.

Not – “*Corrections*” Prisons do not “*correct*” and not “*Institution*”. Both attempt to “*civilise*” the prison since it brings to mind other familiar institutions like hospitals, the family, marriage etc. “*Institution*” is used to *normalize* and *sanitise* the experiences of imprisonment, clearly not “*normal*” at all. Tragically, many prisoners internalize this *fake* normalcy and become totally “*manageable*” (*institutionalised*). After years inside, many are completely “*programmed*” (*debilitated*), are unable to apply critical thinking, and have no understanding of the “*real world*” inter-relationships between work, family and community. When released, many “*good prisoners*” fail at “*reintegration*”, returning to prison (*Their “normal” “homes”*) over and over and over again. Prison “*treatment and programs*” (e.g. *Pre Release Program*) produce good “*recidivists*” not good citizens.

Prisoner – is the only correct term. Prisoner is the only correct term to describe a person locked into a cage or cell within a facility not of one’s choice and whose quality of existence therein depends upon the keepers. Not “*inmate*” as this describes an inpatient of a mental hospital who may or may not have voluntarily entered the institution.

Not “*client*” as this describes a person, who has purchased the services of a chosen deliverer, is a patron of the one hired and /or is an outpatient – someone who chooses to be a client. The term resident is also an obvious corruption.

Never “*offender*” the continual use of the term “*offender*” justifies everything done to a “*prisoner in the name of the law*”. “*Offender*” describes a person who commits an offence – a current transgression, one that is occurring at a specific time. Charged with an offence, the person is tried, and if convicted becomes a prisoner. The offence has already happened. It is in the past. The prisoner in prison is not offending. She has already offended. She may have offended once and may never offend again, but utilising the label, “*offender*” permits an ongoing and static reference justifying brutalisation and degradation (euphemistically referred to as “*treatment of the offender*”) and enables the continuum of power distinctions.

Punishment – cannot be treatment.

It is not “treatment” that is administered in “enhanced security and / or crisis support units or where prisoners are secured under s38 Corrective Services Act 2000 or prisoners are held in isolation cells for punishment for being breached s86 – s91 including Separate Confinement or isolated in Maximum Security Units under s47”. It is punishment to be held under segregated or solitary confinement conditions within fortified cells. “Programs” cannot clearly be delivered in segregation. Prisons are not objective medical or psychiatric facilities.

Sisters Inside Submits

For women, whose incarceration rate is rising annually (almost double that of men), virtually approximately 80% are directly traceable to their economic circumstances. The profile shows that women in prison tend to be under 30, have less than a high school education, and live in poverty. Most women incarcerated are mothers and primary care givers, and Aboriginal women are a 30% majority. Property crimes, such as check forgery and illegal credit card use, and crimes related to drug use are the most typical reason for imprisonment.

The other aspect of prisons and their relationship to capitalism is the profit from the labor of prisoners. The private sector and the State are increasingly taking advantage of the fact that prisoners enjoy none of the rights Free workers have. They cannot unionise. They do not have to be covered by Worker's Compensation. Legislation does not cover them. They do not voice grievances, except at the risk of incurring the arbitrary discipline of prison authorities. They can be hired and fired at will, and do not have to be paid

minimum wage. Prison labor is perfect for labor. And, of course, businesses can receive tax breaks for hiring prisoners. As woman stated recently -

"We are commodities, and a profit must be realized from commodities. A lot of rich people are making loads of money on the backs of us women in here. I get paid \$2.00 a day for furniture that we make and then it gets sold for over a \$1,000 a piece in the shops. I got no rights and if I don't work they will breach me and lock me up in the DU".

Furthermore, a woman from a non English speaking background was sacked from her cleaning position in the prison because she doesn't speak English. This is racism and discrimination. The woman has virtually no recourse within the law to rectify the situation due to her absolute fear of retribution by the prison.

In essence, we need to separate the issue of imprisonment from the issue of crime; they are not about the same things, and one does not go with the other. "Get tough on crime" is very expensive. It costs us to imprison a woman in prison at \$74,000 a year. This woman would have probably been a victim of sexual, physical and emotional abuse, living in poverty, a mother and self medicating with illegal drugs just to survive. In prison she is further being sexually abused after every family visit, isolated, has very limited access to education and training, and homeless on release. Imagine spending \$74,000 per person on education, housing and health issues and further addressing the violence in women's lives there would be no reason for prison in our society. Poverty could also be addressed for these women and their families.

The reality is that the fastest growing prison population worldwide is women, and in particular, racialised, young and poor women. In Queensland there is approximately 30% of women incarcerated that are Aboriginal. We know the increasing numbers of women in prison is clearly linked to the evisceration of health, education and social services. We also know that the cycle intensifies in times of economic downturn. It is very clear where we are sending the people who are experiencing the worst in the downturn in the economy and social trends. Prisons are our most comprehensive homelessness initiative.

In terms of the rate at which women are charged we are seeing a decrease in the number of violent crimes committed by women. It must also be borne in mind that all these increases have occurred within the context of increased cuts to expenditures for social services, health and education throughout the country. The result has been that women prisoners in Queensland, like women prisoners worldwide, are the fastest growing prison population.

We also know that increased numbers of young women with mental and cognitive disabilities, women who used to fill psychiatric and mental health facilities, are now increasingly being criminalised. Progressive trends of the past to de-institutionalise those with cognitive and mental disabilities have been subverted by resource depletion, attitudes and policies occasioned by the deficit dementia of the last decade. The result is that more and more people are literally being dumped into the streets.

Their attempts to survive, their attempts to self-medicate, their attempts to cope with their situations as well as the behavior that then evolves from being in a situation where they are increasingly disenfranchised, have led to their increased criminalisation and imprisonment. Once in prison, these women are considered difficult to manage and consequently spend a disproportionate amount of their time classified as maximum-security prisoners. This means that in addition to serving most of their sentence in the maximum-security prison and some in the Crisis Support Unit in men's prisons, they are also most likely to be placed in segregation. They also tend to attract a number of psychiatric labels, and tend to be characterised by the Department of Corrective Services as among the most difficult prisoners to manage by Department of Corrective Services.

The reflex of corrections to develop mental health service in prisons, is only serving to exacerbate the trend to increasingly criminalise women with mental and cognitive disabilities. Developing such services in prisons at a time when they are increasingly non-existent in the community is resulting in more women receiving sentences because there will be a presumption that there is an ability to access services in prison that are not available in community settings. Prisons are not and cannot be treatment centres.

Particular Problems for Young Women and Girls

The increasing numbers of younger women in the prison system are of particular concern to Sisters Inside. Unfortunately, unless we resist the calls for more punitive and regressive scapegoating of Australian youth, and, instead, embark upon a public education campaign to inform Australia about the excessive penalising and incarcerating of youth in Australia, we are not likely to see much change in the current slide away from justice for young people.

The Youth Detention Centre's in Queensland transfers young people into the adult system. Furthermore, it is Aboriginal youth who are disproportionately incarcerated in youth centres and transferred to adult jails. Young people in Queensland can be imprisoned in the adult prison system from the age of 17 years. Queensland is the only State in Australia to support 17 years old being incarcerated in an abusive adult prison system.

To make things worse, young women usually end up being incarcerated in mixed youth centres. Further the women incarcerated in the Crisis Support Unit are mixed with male prisoners and predominantly male prison officers. One of the results of this is that there are many incidents of sexual harassment and rape, most of which go unreported. In Canada, research was conducted on young women in custody and it was found that two rather shocking results. First, it was found that many young women do not define what they experience as sexual harassment or rape. Instead, they talk about it being flirting or fooling around, or their "turn in the closet". Secondly, for those who do identify what they experience as sexual harassment or rape, most claim that they would not report such assaults. The Queensland experience is much the same as Canada.

Too many women described their reluctance to report sexual and non-sexual assaults as being borne out of the fear that the reporting would result in the women being held in more isolated conditions. This fear has been reinforced by experience. Not only are young women and girls often mixed together, whether they are remanded in custody, or serving a disposition of open or secure custody, they are often isolated and have more

limited access to services and programs than their male counterparts. When a young woman reports a rape or sexual harassment the institutional response is rarely to address the issues. Instead, what generally happens is that the young women are subjected to more restrictive and isolated conditions of confinement. This just reinforces the adage that young women are too few to count.

In an effort to encourage the Parliamentary Standing Committee to seriously examine the disastrous impact and untold human costs of jettisoning more young people into the adult system, Sisters Inside facilitated a presentation by a young woman who had first hand experience in and with the system. The following section is a summary of her story.

In addition, we are seeing the so called "war on drugs" really becoming a war on the most dispossessed, especially women, as we see increased numbers of women resorting to using, selling, or otherwise dealing in legal or illegal drugs, in order to cope with everyday life and/or to allow them to gain extra financial resources in order to cope and survive. We are also seeing the increased feminisation and criminalisation of poverty.

We are also seeing the increased likelihood that progressive trends that were developed by women to address misogynist violence by men, have increasingly been used against women. At the same time as we are seeing decreases in the number of women who are actually willing to seek protection from the system, we are also seeing a backlash in the form of so-called gender neutral, zero tolerance policies. As a result, battered women, most of whom have called the police themselves after being battered, are increasingly being counter-charged. This is especially true in circumstances where women have defended themselves against the abuse. In too many such situations, both are charged with assault. This is particularly true for Aboriginal women and their road to prison.

We are also seeing increased numbers of women who have used lethal force pleading guilty to murder. In most such cases, the women were charged with murder despite the

fact that they were responding defensively. Some women are counseled to plead guilty to manslaughter, so women experience that backlash as well.

Despite all of these grim realities, those of us who work with and are allied with women prisoners, know very well that those women continue to call upon all of us to do our utmost to ensure that their voices are brought out from behind the walls. It is as a result of their continued perseverance, that the rest of us are afforded the privilege of also being able to continue to walk with them as they challenge the manner in which they are held captive and imprisoned in Queensland.

Over the next several years, we anticipate further regressive policy and law reform and initiatives to be undertaken by the Government of Queensland under the guise of meting out decisions that meet their perceptions of what will be acceptable to public opinion. Sisters Inside and many other national organizations, on the other hand, have had to resort to encouraging women to file complaints with the Human Rights and Equal Opportunity Commission and the Anti Discrimination Commission regarding the systemic discrimination and violation of women prisoners' human rights in Queensland. Most women in prison are too terrified to lodge such legal complaints with a true fear of retribution.

As she advised me the first time we met in 1992, the words of an Australian Aboriginal woman named Lilla Watson best encapsulate and convey the message of our work:

If you have come here to help me,
you are wasting your time.
If you have come here because
your liberation is bound up with mine,
then let us work together.