



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Mr Peter Cain MLA (Chair), Dr Marisa Paterson (Deputy Chair), Mr Andrew Braddock MLA

Submission Cover Sheet

Inquiry into Community Corrections

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To the Committee
Community Corrections Inquiry
Canberra ACT 2600

The National Council of Women of ACT has is pleased to have the opportunity to make this submission to the committee.

We hope that the outcome of the inquiry will be to the benefits of inmates and staff at the AMC

Yours sincerely

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Introduction

The National Council of Women of ACT is an affiliated organisation of National Council of Women of Australia (NCWA). NCWA membership consist of a broad range of women's organisations who work together to improve the lives of women and girls. We have been in existence as a national organisation since 1896, working on issues such as equal pay, provision of kindergartens and child care facilities, maternal health facilities, paid parental leave, improved housing, better conditions in prison for women. The National /council of Women of ACT was formed in 1939 and has been active in the Canberra community working for similar objectives and outcomes. Currently we are very concerned about conditions for women in the AMC. To this end we held a public forum in May 2021 which highlighted some of the issues facing women and did result in some changes to their conditions. We think that much more needs to be done, hence this submission

Overview

The Terms of reference for the Review are comprehensive, the impact and experience of prison for women will differ in many respects from that of men. While there are considerably more men than women in prison in the ACT, this should not lead to lesser services and support for women. Indeed, many women in goal have experienced domestic violence before being incarcerated and without support may return to the same situation. NCW ACT notes that when the Alexander McConochie Centre (AMC) was planned it was the first Australian prison built with a human rights framework in mind. Unfortunately, human rights seem to be largely forgotten in the way that the AMC currently operates.

The NCW ACT submission seeks to highlight the specific impact of those issues raised by the terms of reference on women. In doing so we note that approximately two thirds of the women in prison are First Nations women. Women prisoners are often treated as an afterthought which is unjust and indeed fails to recognise the broader implications. Women are traditionally the care givers in their family and their community so that their incarceration impacts not just on them, but also on those they care for and that impact lasts longer than the incarceration period. Children in these circumstances are more likely to be involved turn to crime. Ref.....

NCW ACT notes the issues raised in the Productivity Commission, 'Australia's Prison Dilemma' particularly those that identify issues which impact disproportionately on women, e.g. training and work opportunities. NCW ACT also notes that a number of the 73 recommendations of the ACT Inspector of Correctional Services (ICS) report, many of which have not been supported or where the support has been token rather than effective. Our Submission has also drawn on the Centre for

Women's Health report 'WHM! – ACT Women and Prisons (Invisible Bars: The Stories behind the Stats)'.
which gives insights into the personal experiences of women prisoners.

In addition to the above reports, the NCW ACT submission relies heavily on information from the seminar "Let's Talk About Women in the Prison" held in May 2021 which addressed the experiences of women in prison in the ACT and highlighted the specific issues for those women.

Speakers at that seminar were

Justice Richard Refshauge

Barrister Margaret Jones

Chair of the ACT Human Rights Commission Helen Watchirs

Past Chief Minister of the ACT Jon Stanhope

CEO Winnunga Nimmityjah Julie Tongs

President of the Prisoner's Aid Society Dr Caroline Doyle

Moderator Jack Waterford, past Editor of the Canberra Times

We have not included comments against all the terms of reference as we feel these are adequately addressed in the above reports, rather our submission seeks to highlight those areas which impact disproportionately on women. There are a number of statistics on the inequality that women face but the fact remains that, if just one woman faces hardship or mistreatment through inequity, we are failing them. Any woman who interacts with the justice system in any way shape or form must be supported to ensure that she can lead a life which will prevent her from needing to go through the system again.

TOR 1 Parole System and TOR 5 Recidivism

These comments are also relevant in relation to remand. A woman may not be able to get bail or may not have suitable accommodation and support to enable her to be placed on remand. Thus, she may end up in prison while awaiting her trial. Similarly, a woman seeking parole may be denied this opportunity because of social disadvantage which results in inadequate access to suitable housing, lack of employment opportunities, poor health, including mental health, and limited support for drug and alcohol programs.

TOR 6 Experiences of offenders and their families.

We recommend that the Committee take note of the experiences and comments in report prepared by the WHM! – ACT Women and Prisons (Invisible Bars: The Stories behind the Stats).

TOR 8 Other Relevant Matters

The ICS report examine what it calls the four pillars, or key result areas. These are particularly important in relation to women prisoners.

- **Safety**

At the Seminar facilitated by the National Council of Women of ACT held in May 2021, access to the library, classes, counselling etc was seen as a major barrier because the women needed to walk through areas where there were male prisoners. Some of the men were the perpetrators of domestic violence against several of the women or the men would make lewd remarks. We understand that the women have now been moved back to the cottages so some of these issues have been addressed. Access to alcohol and drug rehabilitation programs is limited and from press reports it appears that drugs are freely available in the prison.

- **Respect and Dignity**

Recommendation 4 of the ICS Report noted that the induction process for women needed urgent attention. Recommendation 19 is that ACTCS need to maintain a strip search register as required by legislation. Recommendation 26 of the ICS Report states that the ACT government should commission and independent review of the custodial recruit training course. We understand that recruit training is contracted to the NSW prison service and that there is no reference to human rights in that training. Recommendation 64 notes that both female and male recreation officers should be engaged. In the WHM! Report – ACT Women and Prisons one woman spoke of being required to strip “in front of a male screw”. At the Seminar in May 2021 we heard from Julianne Williams about the body search she had to endure during her time in the AMC. This matter is now before the courts.

- **Purposeful Activity**

Opportunities for meaningful activity are limited. Recommendation 63 of the ICS Report recommends that an independent education and training needs review be commissioned to better inform future programs and ensure that it meets the needs of female detainees. It further recommends that the review should engage with the ACT business community to identify pathways to relevant employment in Canberra. Without such a program women prisoners are likely to re-offend.

- **Rehabilitation and Preparation for release**

The level of recidivism levels among women in the AMC is high. Their time in prison does not help them deal with the problems that they will face when released from jail – alcohol, drugs, domestic violence, inadequate housing etc. as well as low self-esteem. The WHM! Report states that many women feel they are on a merry-go-round. Unless support – affordable housing, mental health services, rehabilitation services etc - is provided to these women, both before and after prison, they will continue to ride the merry-go-round.