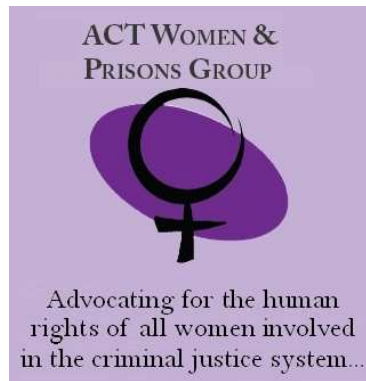


Submission to:

ACT Budget Consultation

Email: budgetconsultation@act.gov.au



**Joint Submission to
ACT Budget Consultation
2011/12**

December 2010

www.wchm.org.au

Women And Prisons Group ACT and the Women's Centre for Health Matters acknowledges the traditional owners and continuing custodians of the lands of the ACT and we pay our respects to the Elders, families and ancestors.

We acknowledge that the effect of forced removal of Indigenous children from their families as well as past racist policies and actions continues today.

Submission to the ACT Government 2011/12 Budget
Women's Centre for Health Matters Inc. and Women And Prisons Group ACT
December 2010

This document was prepared by:
Rachelle Cole (Community Development Worker, WCHM)
Christine Moore (Women And Prisons Group)
Marcia Williams.(Executive Director, WCHM)

Enquiries on this submission may be directed to:
Executive Director, WCHM: Marcia Williams
ed@wchm.org.au

or
Convenor, WAP: Deb Wybron
wybron@classacts.zzn.com

PO Box 385, Mawson, ACT, 2607
Phone (02) 6290 2166
Facsimile (02) 6286 4742
admin@whcm.org.au
www.wchm.org.au

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About the ACT Women and Prisons Group

The ACT Women And Prisons (WAP) Group is a not for profit community group, whose members include ex-prisoners and prisoners incarcerated in or involved in the ACT criminal justice system, representatives of various ACT Women's Services, and other interested women.

WAP advocates for the human rights of all women incarcerated in or involved in the ACT criminal justice system.

[WAP](#) was formed in 2005, founded by Deb Wybron to formalise arrangements put in place previously by the ACT women's services providers. Prior to this there were limited opportunities for women with lived experience of prison to take a lead role in advocating for women in the criminal justice system.

The Group has been supported by the Women's Centre for Health Matters Inc. (WCHM) and the ACT Council of Social Service Inc. (ACTCOSS) to grow its membership and to build its capacity to support and advocate for women in prison.

WAP uses peer support as a vehicle to build relationships and trust with women so that they can better provide personal and emotional support, hear their views and stories and use these to advocate for them. They are guided by these women in identifying service gaps within the system and possible options to address these, and use this to inform their advocacy.

They provide opportunities and support for women with lived experience to actively contribute to WAP's work.

Their advocacy role is focused on educating stakeholders about the needs of women with lived experience of the criminal justice system. WAP sees the criminal justice system as not just about Justice or Corrections, but as requiring a whole of Government approach.

WAP is not a service provider, and they work in partnerships with the formal providers, and build and maintain strong relationships with a wide range of stakeholders because they understand that no one service can provide the diversity of practice that is required to meet the needs of all women.

About the Women's Centre for Health Matters

The Women's Centre for Health Matters Inc. (WCHM) is a community-based organisation that works in the ACT and surrounding region to improve women's health and wellbeing.

WCHM believes that health is determined not only by biological factors, but by a broad range of social, environmental and economic factors known as the 'social determinants of health'. We acknowledge that the environment and life circumstances that each woman experiences have a direct impact on her health, and in many cases, women's poor health is rooted in social disadvantage. For these reasons, WCHM is committed to taking a 'whole of life' and social approach to women's health, that is also firmly situated within a human rights framework.

WCHM focuses on groups of women who experience disadvantage and uses social research, community development, advocacy and health promotion to

- provide women with access to reliable and broad ranging health-related information which allows informed choices to be made about each woman's own health and wellbeing, and
- advocate to influence change in health-related services to ensure responsiveness to women's needs.

Background: Women in the criminal justice system in the ACT

Women who are or have been incarcerated represent one of the most marginalised groups in our community. Women's offending and imprisonment is often closely related to women's poverty. They are disproportionately affected by homelessness, violence, sexual assault, mental illness, substance abuse, and poverty. The discrimination they suffer as a result of the stigma associated with incarceration further undermines their ability to integrate back into the community.

When women are released from prison they face the same barriers to re-entry as men—social stigmatization; lack of adequate housing; and few or no employment opportunities. Many women cannot obtain government support to secure adequate housing because they do not have custody of their children, and they cannot secure custody of their children because they do not have adequate housing.

Nationally, the number of women held in adult corrective services custody increased by 5% (100 prisoners) over the year to 30 June 2010, according to figures released in December 2010 by the Australian Bureau of Statistics. Although men continue to dominate the adult prisoner population in Australia, representing 92% of all prisoners held in corrective services adult custody, female incarceration is increasing at a faster rate than males. At 30 June 2010, there was a total of 2,200 adult women prisoners in Australia, which represents an increase of 60% over the past decade. In contrast, men in incarceration increased by 35% over the same period. ¹

The ACT prison – the Alexander Maconachie Centre (AMC) - currently houses approximately 200 male and 20 female prisoners and emphasises human rights principles and adherence to the 'Healthy Prison' concept.² As women only make up a small proportion of the total prison population, the prison focuses many of its procedures on male prisoners and the gender-specific needs of women are overlooked.

¹ 4517.0 - Prisoners in Australia, 2010 ABS

² The AMC aims to meet the objectives of the 'Healthy Prison' concept which emphasises respect, safety and preparation for release. <http://www.cs.act.gov.au/page/view/867/title/operating-philosophy>

The ACT Women and Prisons Group, supported by the ACT Women's Services Network and WCHM, held a Prison Forum focusing on the issues for women prisoners in AMC to inform a submission to the Independent Review of the AMC for ACT Corrections.

The feedback from service providers and the women prisoners was that fewer rehabilitation, education and training opportunities exist for women prisoners than for men in AMC. The training variety is very limited for the women prisoners because of their low numbers, and is mainly focused on OH&S, barista and hairdressing training. The men have more choices.

The training provision is focused on vocational training and so is not flexible to individual needs or differences in skills or ability of the women. There is also no system to assess the needs and education profile of women at induction in terms of training. Women often have numeracy and literacy issues but these are not identified upfront in a standard assessment.

Because of their gender, women prisoners have different health needs. Female prisoners are different to male prisoners because of biological and life circumstances. They require care that addresses their reproductive health, histories of abuse and status as primary providers and carers of children.

Health services in the AMC are delivered by a number of different agencies, which makes it difficult for the women prisoners to receive holistic care from one central source, e.g. Corrections Health provides primary health care, corrective services provides health promotion and prevention and counselling; and forensic Mental Health diagnoses and treats mental health issues.

While health and wellbeing issues do not often occur in isolation, currently one service treats drug and alcohol dependency, another hepatitis, and another mental health issues—even though these three issues can occur simultaneously.

The limited availability of personnel because of demands in other parts of the prison means that female prisoners are often not taken to their appointments, and that health professionals who attend the prison are not able to see their female patients.

While the health issues associated with the overall prisoner population are well documented, there is no database specific to ACT prisoners, and in particular women prisoners. Therefore research is required to determine whether the health needs of the ACT women prison population differs in significant ways from that of other Australian jurisdictions and from the male population.

Executive Summary

Women only make up a small proportion of the total prison population, but prisons are often designed to contain male prisoners and the gender-specific needs of women are often overlooked. The AMC, which currently houses approximately 200 male and only 20 female prisoners, is unique in that it was designed with human rights principles and legislation in mind, and many aspects of the AMC, such as the cottage-style accommodation, specifically cater for women.

Findings from consultations with women inmates and the WAP Prison Forum indicate that women prisoners are falling through the service provision gaps. Some issues highlighted by women in the prison include staff shortages in the women's area resulting in frequent lockdowns; no extra nutritional supplements, lack of assistance in preparing to go to hospital to give birth for pregnant women and a lack of educational and work opportunities for women compared to men.

Catering for women in the prison poses significant challenges to government and the community sector, but failure to do so has enormous social and financial costs for individuals, their families and the wider ACT community. Progress has been made to improve the situation for women prisoners; however, many issues remain unresolved.

The ACT Women and Prison's Group (WAP) which was established in 2005, provides emotional and instructional peer support to women inside and outside prison and advocates for better outcomes for women involved in the criminal justice system.

By advocating for the needs of women prisoners around the social determinants and providing social, instructional and emotional assistance through peer support, WAP has played an essential role in highlighting health inequalities for women prisoners as a minority.

It is the involvement of women with lived experience of incarceration in WAP that places the organisation in such a unique position. Women with lived experience are able to identify issues that affect women inside the AMC and in their transitions out of prison and are better able to identify barriers for service providers in connecting with these women.

This information informs WAP's advocacy work and WAP provides a mechanism through which issues raised by women with lived experience inside and outside the prison are communicated to government and other agencies. The value of these links in developing government policies and practices that are humane and that work cannot be underestimated.

Moreover, WAP has a significant role to play in the coming year in supporting the implementation of the Women Exiting Corrections Program (WECP), a case management and housing service which is currently being developed. The recent tender for the WECP provided by the Department of Disability, Housing and Community Services (DHCS) recognises the WAP role and expertise and the Request for Tender (No. 13964.110) requires that the Service Provider cooperate with the ACT Women and Prisons Group to ensure that services work collaboratively and without overlaps in service delivery.

While WAP's role in the WECP has been formally recognised by DCHS, this has not been funded, and the group is facing significant challenges such as potential burnout by key individuals and will struggle to meet these expectations without recurrent funding.

Also as the needs of women involved in the justice system are still not being met, WAP plays an important and unique role and cannot be underestimated in the context of the prison in the ACT and a correctional system and supporting services outside the prison which are still not meeting the needs of women prisoners.

The majority of WAP's work is currently carried out by women who contribute their time voluntarily and which is driven by their desire to improve conditions for women in the criminal justice system and who are passionate because of the profoundly negative impact incarceration has had on their own lives.

WAP has evolved despite only having funding support from small grants and from the support and commitment of key individuals and organisations such as the ACT Council of Social Services and the Women's Centre for Health Matters, as well as organisational members of WAP and the Women's Services Network in the ACT.

Without recurrent funding WAP will be unable to contribute as effectively and advise Government on policy and service delivery issues or to advocate with, and educate, service providers about the needs of women in prison and transitioning into the community. They will also remain limited in the peer support approach they can provide to women prisoners and those exiting prison in the ACT, and which allows WAP to collect data to inform their systemic advocacy commitments.

WAP needs recurrent funding in order to be able to operate more effectively as an organisation advocating for women involved in the justice system, and to limit reliance on volunteers which is unsustainable.

WAP is different from other services working within the prison system because of its focus on women with 'lived experience' of incarceration providing peer support – this is something that cannot be provided by service providers.

Through WAP, women with lived experience can express their views on issues affecting women in prison and on their transition from prison into the community. The Group's systemic advocacy work can ensure these views inform Government policy and influence service delivery provision and design. WAP also enables women with lived experience to build their skills and confidence and provide meaningful input into the direction of the Group.

The ACT Women and Prison's Group operates under the social determinants of health model to support women involved in the ACT criminal justice system. There is no other organisation in the ACT that has this expertise.

Recommendation

That the ACT Government recognise the need for recurrent funding to develop the capacity of [WAP](#) to advocate for a marginalised group of women that has unmet needs which are not addressed by other funded organisations in the ACT, so that they do not need to rely solely on women as volunteers to advise and advocate to Government.

Costing and Resource Requirements

Costs

Total \$130,840 p.a.

a) Approximately \$114,615 p.a. for staff salary and on costs to enable WAP to:

- Work with providers of new tender
- Monitor and report to Government
- Commission and design WAP website
- Organisation development and accountability
- Peer support within prison
- Peer support outside prison
- Work with stakeholders (NGO's and others)
- Design and deliver training workshops and learning resources for providers and stakeholders
- Run WAP meetings
- Training and mentoring/coaching WAP people for succession planning – Training Needs Analysis, finding resources etc
- Develop WAP governance – “organisational development”
- Collect and document evidence base and research
- Submissions / advocacy to Government

b) Approximately \$16,225 for admin costs for WAP

Cost offsets:

Women who are, or have been, incarcerated have poor health, employment and social outcomes and are disproportionately affected by homelessness, violence, sexual assault, mental illness, substance abuse, and poverty. Improving and informing a more integrated cross-sector and Government response to unmet needs will lead to substantial long term savings to the ACT Government in other areas, and reduce the longer term impacts on health, housing, families, forensic mental health and the justice system. In addition building the capacity of service organisations to support women in the criminal

justice systems will help identify risk factors earlier and provide better targeted interventions that prevent them from reaching crisis and requiring more intensive and therefore more costly support.

“My life today is really different; I am with the same partner, I have two beautiful children, and I do not do drugs or crime anymore. I am a member of a women’s prison group, WAP; I get my strength from them and I love being a part of it. I get to share my experience and hopefully change things for other women in prison.”

- WAP Member

Rationale for funding

The importance of ‘lived experience’

WAP is different from other services working within the prison system because of its focus on women with ‘lived experience’ of incarceration providing peer support—this is something that cannot be provided by service providers, and there is no other organisation in the ACT that has this expertise.

WAP is comprised of both ex-prisoners and representatives from community sector, but it is the involvement of women with lived experience of incarceration that places the organisation in such a unique position.

Women with lived experience provide the group with information about their relevant life experiences. They are able to identify issues that affect women inside the AMC and are better able to identify barriers for service providers in connecting with these women. This information informs WAP’s advocacy work and has been invaluable in developing a peer support model that supports incarcerated women.

WAP provides a mechanism through which issues raised by women with lived experience inside and outside the prison are communicated to government and other agencies. The value of these links in developing government policies and practices that are humane and that work cannot be underestimated.

Through WAP, women with lived experience can express their views on issues affecting women in prison and on their transition from prison into the community. The Group’s systemic advocacy work can ensure these views inform Government policy and influence service delivery provision and design. WAP also enables women with lived experience to build their skills and confidence and provide meaningful input into the direction of the Group.

Meeting the needs of women prisoners

Female prisoners are different to male prisoners because of biological and life circumstances. There are a number of important characteristics of women prisoners and their offending behaviour that need to be considered in the development of prison policies and practices.

- Women commit fewer and less serious crimes than men. They are therefore less of a threat to others.
- It is well documented that women prisoners are much more likely to be solely responsible for the care of children and the maintenance of a home than male prisoners. This means that when a woman is imprisoned children suffer and the home is lost.³
- Women prisoners are highly likely to have experience sexual abuse. Some research has shown that as many as 89 percent of women in prison have experienced sexual abuse at some point in their lifetime.⁴
- Women prisoners are more likely to self-harm.⁵
- Women experience a higher level of psychological distress in prison than men.⁶
- Aboriginal women are hugely overrepresented in prison.

Because of their gender, women have different needs. They require care that addresses their reproductive health, histories of abuse and status as primary providers and carers of children. As women only make up a small proportion of the total prison population, prisons are often designed to contain male prisoners and the gender-specific needs of women are overlooked.

By advocating for the needs of women prisoners around the social determinants and providing social, instructional and emotional assistance through peer support, WAP has played an essential role in highlighting health inequalities for women prisoners as a minority.

⁴ [Sisters Inside Inc., 'A Campaign to End the Sexual Assault of Women by the State', South Brisbane, 2005](#)

⁵ [AIHW, 'The health of Australia's prisoners 2009', p. 31](#)<http://www.aihw.gov.au/pophealth/prisoners.cfm>

⁶ *ibid.*, p. 27

Social determinants of health and prisoners

The Social Determinants of Health model (as promoted by the 1986 Ottawa Charter for Health Promotion) acknowledges that social, environmental and economic factors impact directly on a person's health. Inequities arise because of the circumstances in which people grow up, live, work, and age and the systems that are put in place to support them. The link between the social determinants, which are often beyond the control of individuals, and poor health is especially evident when we look at the prison population.

- **Early life**

Childhood experience has huge implications for a person's health later in life. As we do most of our developing as children, a lack of support and stimulation in early life can reduce cognitive, emotional and sensory functioning in adulthood.⁷ The majority of prisoners come from disadvantaged socio-economic backgrounds and almost all women prisoners have a history of trauma – particularly incarceration, institutionalization and/or family violence.

- **Unemployment**

Unemployment and job insecurity is another example of a social determinant which can lead to poor health because of the psychological consequences (such as anxiety and depression) and the financial risks associated with not having an income.⁸ Due to low educational attainment and the stigma associated with institutionalization, prisoners struggle to reenter the workforce post-release.

- **Social exclusion**

Social exclusion can have a major impact on health and lead to premature death. The longer someone lives in social isolation the more likely they are to experience illness.⁹ Prisoners are a high risk group when it comes to social exclusion due to poverty, homelessness and the discrimination they face as ex-offenders.

⁷ World Health Organisation (WHO), *The Social determinants of Health: The Solid Facts*, 2nd Edition, Richard Wilkinson and Michael Marmot (eds), 2003

⁸ WHO, *Op cit.* p. 14

⁹ *Ibid.*, p. 16

- Substance abuse

Individuals turn to drugs because of hardship and in turn drugs contribute to more hardship, ill-health and downward mobility.¹⁰ According to research conducted by the Australian Institute of Health and Welfare, regular drug use at the time of incarceration, which may include injecting, was reported by 67% of male prisoners in NSW, as well as 74% and 63% of female prisoners in NSW and Queensland respectively.

- Mental illness

Individuals who are or have been incarcerated are one of the most disadvantaged groups in our society and are at high risk of both physical and mental health issues. The health of Australia's prisoners 2009 report found that rates of mental illnesses, such as schizophrenia and depression, have been found to be between three and five times higher in prison than in the general population.

Improved health for prisoners needs to consider the long-term change around the social determinants of health. A system that improves health outcomes and adequately supports prisoners should include the provision of not only suitable housing, but access to education, affordable child care, adequate income support, accessible community and public transport systems, social support and a continuum of care.

In the ACT, this would mean effective coordination between government agencies, non-government organizations, and the community to meet the needs of women prisoners during their incarceration and post-release. Evidence suggests that the current system is not achieving this well.

By advocating for the needs of women prisoners around the social determinants and providing social, instructional and emotional assistance through peer support, WAP plays an essential role in highlighting health inequalities. Reducing health inequalities is not only an important social goal but has economic benefits for the wider community.

¹⁰ *Ibid.*, p. 24

Supporting the Women Exiting Corrections Program

The ACT women's service providers, Toora Women Incorporated, Beryl Women and Canberra Rape Crisis Centre have recently secured the tender for the Women's Exiting Prisons Program (WECP) provided by the Department of Disability, Housing and Community Services (DHCS).

The WECP, called the 'Coming Home' program, is long overdue and will include the provision of housing and case management to women transitioning from the AMC to reduce homelessness and recidivism. The centralised services will include drug and alcohol counselling, family support, help finding work or education and, where the participants are eligible, public housing provision.

The Request for Tender (No. 13964.110) requires that the Service Provider cooperate with the ACT Women and Prisons Group:

The Service Provider would be encouraged to work towards a Memorandum of Understanding (MOU) with the ACT women and Prisons Group, in order to ensure that services work collaboratively and without overlaps in service delivery. This may include a commitment to ongoing communication between WECP case managers and relevant ACT Women and Prisons Group personnel who may also be operating on behalf of the Service User. (Section 7.6)

While WAP's role in the WECP has been formally recognised by DCHS, this has not been funded. Unfortunately, the group is facing significant challenges such as potential burnout by key individuals and will struggle to meet these expectations without recurrent funding.

WAP's Achievements

- influenced the design of the Alexander Maconochie Centre to take account of the needs of women.
- worked with women inside since the Alexander Maconochie Centre opened in 2009 to earn their trust and to raise community awareness about the issues for women in the ACT prison.
- informed the development of the tender for a women's transition from prison program.
- opened discussions with the new providers of the Women Exiting Corrections Program to discuss how WAP can assist and support them the transitions to the new arrangements.
- jointly hosted a prison forum in June 2010 with a wide range of service providers to discuss the issues facing women in the AMC and used the information to contribute to the Independent Review of the AMC.
- sits on the Community Integration Governance Group (CIGG) which provides strategic advice to and collaborates with government to improve community integration for prisoners.
- developed a joint submission with the Women's Centre for Health Matters to the discussion paper Maximising Potential: improving life transitions for young people in care.
- jointly developed a report called "Invisible bars: the Stories Behind the Stats" with the Women's Centre for Health Matters which was published in 2009 and launched by Katy Gallagher, the then Minister for Women in the ACT.
- partnered with Women's Centre for Health Matters in a Peer Support project to document good practice peer support models, the needs for and experiences of peer support programs for women living with a mental illness in the ACT and to evaluate the WAP model based on the findings.
- Jointly held a Strip Searching Forum and a Throughcare Forum with Community Corrections.
- provided "Entering Prison Kits" since the prison opened in 2009, with funding support from ACT government and WESNET, which provide women with access to information about services, self care products, and activities.
- developed and refined a unique peer support model.

- provided peer support by women with lived experience to assist imprisoned women and aid their transition from prison to community life.
- filled a gap in the then existing support systems for women prisoners through various approaches including prison visits, advocacy and information provision.
- developed key organisational policies and procedures around privacy and confidentiality, maintenance of records, personal safety, and debriefing.
- developed and reviewed its strategic framework to ensure it was relevant to the changing environment.
- developed the skills of its members with lived experience to enable them to contribute to WAPs work through the identification of training and development opportunities.
- jointly secured funding with WCHM from the ACT Office for Women to hold two professionally facilitated planning days to identify actions to enhance the capacity of WAP and to support the skill development of members with lived experience.
- cooperated with other community sector organisations to improve the well-being of women with lived prison experience.
- held monthly meetings to communicate relevant information to service providers and discuss current issues.
- attended events and conferences in the ACT and interstate to share WAP experiences and learn about good practice when working with women who have been incarcerated.
- supported Forgotten Australians from all over the country to mark the first Anniversary of the Apology to the Forgotten Australians.
- supported members with lived experience to attend training and development such as the Mental Health First Aid course.
- supported members with lived experience to attend the ACTCOSS conference and the National Conference on Australian Prison Issues on coordinated by UNSW and the Australian Prisons Project.

Projected outcomes from the funding

Over 3 years the recurrent funding would allow WAP to deliver the following outcomes:

- Improve the wellbeing and status of women in prison and transitioning into the community in the ACT and surrounding region, by providing information, gaining a better understanding of their needs through active engagement by women with lived experience, and systemic advocacy and representation of the issues affecting these women to encourage the system and services to be more responsive to their needs.
- Improve inter-sectoral collaboration and co-ordination by working collaboratively with key stakeholders about the issues impacting on women in prison and transitioning into the community within the ACT and surrounding region in order to provide improved service delivery outcomes.
- Better provision of information, planning, evaluation and feedback for the Territory, DHCS, ACT Health and other agencies about the views and experiences of women in prison and transitioning into the community regarding the impacts of policy, health, service gaps and emerging needs.

Projected outputs from the funding

- Provide lived experience peer support to women incarcerated in or involved in the criminal justice system in order to provide informed advocacy.
- Systemic advocacy with Government based on the social determinants of health framework.
- Advocate with, and educate, the prison system about gender sensitive and equitable access to services.
- Advocate with, and educate, service providers to facilitate access to services and support for women leaving prison and outside the prison.
- Develop and train WAP members with lived experience in peer leading, advocacy, governance, and strategic planning so that they can contribute to WAP's work.

- Collect and analyse data and document stories from women with lived experience to develop an ACT evidence base to inform our advocacy.
- Work collaboratively with NGOs and other stakeholders.

The outputs would be achieved over the 3 years based on the following:

Year 1 – Needs analysis, planning and establishing relationships

Year 2 – Deliver and review

Year 3 – Deliver and evaluate

WCHM will act as the auspicing agency, and support WAP by being responsible for the accountability of the deliverables and for managing the financial, personnel and administrative and infrastructure needs of WAP. WCHM has detailed and active policies in relation to organisation, administration, finance and human resource management.

Conclusion

In conclusion, this submission aimed to highlight issues from the perspective of women in the criminal justice system in the ACT and their need for funded representation. WAP and WCHM look forward to participating further in the consultation process, and the development of the ACT Budget 2011-12.