

Abuse	51
Child Abuse	51
Adult Abuse	53
Separation from Families	56
IMPRISONMENT	59
Reception Screening and Induction Program	59
Health	60
Programs	65
Education , Industry and Culture	65
Mothers and Children	68
Visits	70
CONCLUSION	79
APPENDIX 1 ART AND WRITING COMPETITIONS	85
APPENDIX 2 LETTER TO THE SISTERS,	86

## Acknowledgments

*Thanks to the all courageous Aboriginal women in Emu Plains, Mulawa and Grafton Correctional Facilities, who gave their voices and energy to the Inquiry - this is your story. The Koori delegates who kept the message strong, Vivien Scott, (Regional Aboriginal Programs Officer), Nick Kalis (Programs Manager, Mulawa), Judy Leyson, (Governor, Emu Plains), Lee Downs (Governor, Mulawa) and all Correctional staff at Emu Plains, Mulawa, and Grafton Correction Facilities. Thanks to all those involved in the development of this research: Simon Eyeland, Kyleigh Heggie, Pat Maurer, Paul Chandler, Cleonie Quayle, Rachel Martin, Board Members of Warringa Baiya Aboriginal Women's Legal Resource Centre, Winsome Matthews and Members of the New South Wales Aboriginal Justice Advisory Council, Vickie Fair, Helen Ferry, Women's Legal Resource Centre (Lidcombe), Mindi Sotiri, Maxine Conaty (ATSIC) and the Aboriginal Elders who helped with the art and writing competitions. Thanks also to Belinda Russon from Warringa Baiya Aboriginal Women's Legal Resource Centre who volunteered her time to give legal advice and referral to Aboriginal women who were interviewed.*

*A special thanks to the Aboriginal Research Team, Janice Paulson, Michelle Davison, Elizabeth Holden, Noeleen Clarke and Theresa French – this would not have been possible without you. Each of you is an especially strong spirited woman and I am honoured to have worked with you.*

*The Aboriginal women who were interviewed for Speak Out Speak Strong were incredibly honest, courageous and passionate about telling the Aboriginal Research Team about their experiences and needs within the criminal justice system. They generously gave their time, patience and sincerity to the Project. I hope that this Report does them justice for now and beyond.*

## Executive Summary

The Speak Out Speak Strong Project is the result of concerns of the Aboriginal Justice Advisory Council that little qualitative information exists about Aboriginal women's imprisonment and the increasing rate at which Aboriginal women are imprisoned in NSW. Aboriginal women constitute approximately 31% of all women prisoners in NSW an increase of 14% since 1995.

The project consisted of 2 stages. The first stage involved a comprehensive survey of 50 Aboriginal women in prison in NSW, 48% of the Aboriginal women in prison during the study period. Stage 2 of the study involved follow up narrative interviews with a small sample of the women involved in stage 1. The overall objectives of the study were to identify the causes for imprisonment of Aboriginal women, the experiences of Aboriginal women in the criminal justice system and to identify their needs once incarcerated.

The study found that Aboriginal women in prison are predominantly young, with an average age of 25, that they largely have low levels of educational attainment and high levels of unemployment. The study found that most of the women in prison are single mothers with between 2 and 4 children and that they are also responsible for the care of children other than their own biological children, and that many were also responsible for the care of older family members such as parents, uncles or aunts.

Most of the women surveyed had long histories of involvement with the criminal justice system. 60% of the women surveyed had been convicted of a criminal offence while still juveniles and at least 36% of them received their first conviction between 11 and 12 years of age. 98% of the women surveyed had prior convictions as adults and at least 26% had between 15 and 30

previous convictions and 75% had been sentenced to full time prison before.

Significantly 68% of the Aboriginal women surveyed stated that they were on drugs at the time of their last offence. 14% stated they were under the influence of alcohol and 4% said they were under the influence of both drugs and alcohol at the time of their last offence. Only 18% said that they were neither drug nor alcohol affected at the time of their offending however one third of them said they were heroin users. The study found that there was a strong linkage between the drug use and offending behaviour of the Aboriginal women who were surveyed.

The study also found that Aboriginal women in prison had long and serious histories of abuse. 70% of the women surveyed said that they had been sexually assaulted as children and most had also suffered other types of childhood abuse. 78% of the women stated that they had been victims of violence as adults and 44% of the said they had been sexually assaulted as adults.

98% of the women who were sexually assaulted as children stated that they have a drug problem, most equated their drug problem to their experiences of past violence and their inability to get help with it. One of the most significant and important findings of this study is the clear link between child sexual assault, drug addiction and the patterns of offending behaviour that led the women who participated in this study to be imprisoned.

## Introduction & Background

Aboriginal women in New South Wales have experienced a lengthy relationship with detention. This has been so since the beginning of colonisation and has been characterised by separation from biological families and communities, language, culture and regular social norms. During the enactment of the NSW Aborigines Protection Act 1909, Aboriginal women were frequently exploited as domestic and farm labourers. During this period, many Aboriginal women were separated from their traditional families and community. In many cases, Aboriginal women were placed in facilities, such as Cootamundra Girls Home that isolated them from their families and loved ones. Often these women were young, and returning home was sometimes difficult, no matter how much it was longed for. Under the Aborigines Protection Act, Aboriginal women experienced the forced removal of their own children, as well as other family members. This has forever left a weeping trail of disintegration with identity and custom, and has become a major stumbling block in the continuation of Aboriginal culture.

As wives, sisters, aunts and Grandmothers, Aboriginal women witnessed their families torn apart, their husbands stripped of traditional roles within the family and community, and their own traditional roles interrupted. These Aboriginal women are often the backbone of Aboriginal society today, who have kept themselves and their families strong, remembering their own unique strengths ensuring the continuation of culture and Aboriginal identity in New South Wales. They are also among the Aboriginal women, and in particular young women, who continue to deal with the symptoms of colonisation, and an ongoing relationship with the criminal justice system.

Aboriginal women are disproportionately represented in all stages of the New South Wales criminal justice system, and specifically in the adult and juvenile prison population.

National Indigenous prison populations are increasing at a faster rate than non-Indigenous prison populations. In fact, Aboriginal women are

the single most rapid rising prisoner population in the country. In a study for the Australian Institute of Criminology, Carach, Grant and Conroy, found that the number of Indigenous women prisoners has increased by 148% from 105 in 1988 to 261 in 1998. The rate of indigenous women's imprisonment has increased from 162.8 per 100,000 population in 1988 to 223 per 100,000 population in 1998, an increase of 36.9%.

Aboriginal people constitute 16% of all prisoners in New South Wales. Aboriginal men constitute 18% of all male prisoners and Aboriginal women constitute 31% of all female prisoners. Aboriginal young people can make up at any given time 40% of the detention population, and it is usually a higher rate for younger Aboriginal women. Since 1995, in NSW the proportion of Aboriginal men in prison has increased by 4%, and the proportion of Aboriginal women increased by 14%. Aboriginal women make up less than 2% of the general NSW population. The over representation is well documented.

Aboriginal women are also more likely to receive a custodial sentence than the general population, and usually the sentences are longer, than average sentences.<sup>1</sup> During 1998, the total number of women convicted in the Local Courts rose from 13,077 in 1994 up to 16,145 in 1998, a 28% increase in the number of Aboriginal women being convicted.

The number of women receiving a prison sentence also rose from 451 in 1994 to 630 in 1998 which in an approximate increase of 40%. Overall, Aboriginal women were more likely to receive a prison sentence than non-Aboriginal women <sup>2</sup>. In the higher courts, the overall number of women convicted decreased due to the number of finalisations in the District Court over that time, however there was a 34% increase in the number of women sentenced to prison from 87 in 1994 to 117 in 1998.

---

1

<sup>2</sup> Select Committee on the Increase in Prisoner Population – Evidence from Marilyn Chilvers, New South Wales Bureau of Crime Statistics and Research

Concerning the general trends or patterns of offending of women, there has been a substantial increase in the numbers of women appearing for offences which are likely to incur a prison penalty. Fitzgerald (1999) for the New South Wales Bureau of Crime Statistics and Research found in Local Courts that females convicted of offences against the person rose from 1192 in 1994 to 1805 in 1998, an increase of 51.4%. For offences against justice procedures the number rose from 724 in 1994 to 1168 in 1998, an increase of 61.3%. In relation to the Higher Courts, Fitzgerald found that the number of women convicted for robbery rose from 25 in 1994 to 45 in 1998<sup>3</sup>.

A serious number of women, in particular Aboriginal women, are placed in remanded custody. This influences the overall disproportionate rate of imprisonment of Aboriginal women. These women are mostly placed at Mulawa Correctional Facility. However Emu Plains, Grafton and Broken Hill Correctional Facilities also accept unsentenced women.

Research conducted by the NSW Aboriginal Justice Advisory Council (AJAC), found that Aboriginal people were generally less likely to receive bail than the general population, and when granted bail, conditions were often unrealistic or difficult to accept, and therefore were breached at a high rate.<sup>4</sup>

Accordingly, remandees are at a greater risk of custodial deaths compared with sentenced prisoners, with the proportion of deaths among remand prisoners being almost three times what could be expected from their proportion in the general prison population.<sup>5</sup> The Research and Statistics Unit of the New South Wales Department of Corrective Services has found that the overall number of unsentenced female receptions rose significantly between 1996-1997 and 1997-1998.

---

<sup>3</sup> Jacqueline Fitzgerald, New South Wales Bureau Of Crime Statistics and Research, Sentencing Women

<sup>4</sup> Brendan Thomas, Aboriginal Justice Advisory Council, (INSERT TITLE – CHECK)

<sup>5</sup> Dr Peter Grabowsky, Australian Institute of Criminology (INSERT TITLE)

There was a particular increase in the number of remandees staying in custody less than thirty days. Approximately, 553 remandees spent 30 or fewer days in custody in 1996-97, 618 in 1997-98 and 829 in 1998-99, and approximately 161 spent more than thirty days in custody in 1996-97, 170 in 1997-98 and 251 spent more than thirty days in custody during 1998-99. At any given stage between 20-31% of the NSW female remand population is Aboriginal.

Over the last twenty years, there has been an increase in the amount of literature in relation to women in prison and in relation to Aboriginal imprisonment. However but very few studies have specifically examined the needs of Aboriginal women in prison, nor why Aboriginal women are increasingly coming into contact with the criminal justice system and prison.

In 1978, the Royal Commission into New South Wales Prisons made a number of recommendations relating to the prison system, some which related to women. One of the major recommendations that came from this report was that prison should only be used as a last resort and that alternatives to imprisonment should be used extensively. This recommendation was again confirmed in the NSW women in Prison Task Force Report 1985, which also provided recommendations relating to policy development in diversionary options for women. The Report also found that most women inmates were young (between 19-30 years), single, had dependant children, had limited education, were unemployed at the time of their arrest and dependant on social security as a means of income. Furthermore, the Report found that at least 78% of the women interviewed stated they were either drug or alcohol addicted and 84% had previously been imprisoned.<sup>6</sup>

Considerable evidence has linked drug and alcohol addiction to patterns of offending and has often been suggested as an underlying cause of the over representation rates of Aboriginal people in prison. Similarly unemployment, limited education, and forced removal from

---

<sup>6</sup> NSW Women in Prison Taskforce 1985

one's biological family have also been identified as underlying causes of over representation.<sup>7</sup>

Research conducted by Kevin for the Department of Corrective Services, found that 62% of female inmates reported being under the influence of drugs at the time of their most serious offence, 46% of the total sample had consumed drugs (excluding alcohol) and 72% of the sample (130 inmates) perceived a link between their drug use and subsequent imprisonment.<sup>8</sup> Furthermore, Fitzgerald in researching the increase in the female prison population from a court perspective concludes that the increase in robbery offences by women largely results from an increased use of heroin.

It has also been suggested that the principal contributing factor for a women's imprisonment relates in particular to her economic, social and political marginality<sup>9</sup> and that women generally serve relatively short sentences, that is often less than twelve month terms.<sup>10</sup>

There has been little research conducted concerning the impact that mental health problems and psychiatric disabilities have on the over representation rates of Aboriginal women in custody, and even less research pertaining to what needs those women with mental illnesses may have. In evidence given to the Select Committee on the Increase in Prisoner Population, Dr Michael Guiffrida, Forensic Psychiatrist at Cumberland Hospital, and visiting forensic psychiatrist at Mulawa, suggested that the prevalence of mental illness among female prisoners is high. Guiffrida stated that of that out of a total of 240 inmates, there were 102 psychiatric consultations provided and that of those clients, 24% had schizophrenia, 25% had affective disorders, 28%

---

<sup>7</sup> New South Wales Bureau of Crime Statistics and Research (UNDERLYING FACTORS)

<sup>8</sup> Kevin, M (1992) Drug and Alcohol Exit Survey, Department of Corrective Services, Sydney

<sup>9</sup> Alder, C (1992) "Women and the Criminal Justice System"

<sup>10</sup> Farrell, M.A. (1995) A Comparative Police Study of Incarcerated Mothers and Their Young Children in Queensland, New South Wales, Victoria and England

had psycho-active substance abuse, 33% had severe personality disorders. Further, Guiffrida said that a total of 157 different diagnoses were made, suggesting that a number of inmates had dual and triple diagnoses. No information was given concerning the extent Aboriginal women in custody were affected by mental health issues.<sup>11</sup>

Generally, there has been no thorough investigation into the needs of Aboriginal women in custody in New South Wales. The Royal Commission Into Aboriginal Deaths in Custody, is one of the most comprehensive studies into law and justice issues for Indigenous people that has been undertaken in this country. It raised awareness about racial equality, fairness and service delivery however, significantly overlooked Aboriginal women and victims issues. None of the total 339 Recommendations related specifically to Aboriginal women's issues.

The Royal Commission Inquiry linked a combination of factors to the high over-representation of Aboriginal people in custody, including different patterns of policing and the operation of courts, systematic racial discrimination, different levels and patterns of offending, poverty and socio-economic disadvantage, dispossession of land and forced removal and integration policies. A number of the recommendations referred to underlying causes of offending, including drug and alcohol, health, education and employment issues, but these have been poorly implemented, if at all.

The recommendations of the Royal Commission into Aboriginal deaths in custody have formed a central tenet in the response of Australian governments to Aboriginal law and justice issues, meaning that often the needs of Aboriginal women within the criminal justice system have been ignored. Generally, the smaller overall number of Aboriginal women compared to men in the justice system may also mean that the needs of women have often been overlooked. However, the rates and proportion of Aboriginal women in custody is increasing at such an overwhelming rate that immediate attention to their needs is required.

---

<sup>11</sup> Select Committee on the Increase in Prisoner Population – Interim Report (page 51)

Very little research has been conducted on reasons why Aboriginal women re-offend, nor concerning issues of post release and support when returning to communities. Although, research by the Australian Criminology Research Council found that *“if Aborigines are arrested once, the likelihood of re-arrest is 92%. If they go on to a second arrest, the likelihood of a third arrest is 94%. You get to the point of virtual certainty. These people are living in the criminal justice system once the sequence that is set is underway”*.

There are four Correctional Centres in New South Wales where Aboriginal women are placed they are: Mulawa (located at Silverwater), Emu Plains, Grafton and Broken Hill Correctional Facilities. The Centres are all overseen by the Department of Corrective Services, which also has a Women’s Services Unit to assist in the development of policy and programs relating to the special needs of women in centres and an Indigenous Services Unit to assist in the formulation of policy and programs concerning Indigenous inmates. The Inmate Management Division is responsible for all inmate services and programs and consists of a community grants program, psychological services, alcohol and other drug/HIV and Health Promotion Unit, Adult Education and Vocational Training Institute, Chaplaincy, Welfare Services, Correctional Services Industries and the Inmate Classification and Programs. The Corrections Health Service is responsible for providing and coordinating a range of health care programs including drug and alcohol, mental health, population health, primary health and clinical support services. Pre release programs are also available to women inmates in the last six months of their sentenced term at Emu Plains, Grafton and Parramatta Transitional Centre.

In 1996 a residential Mother’s and Children’s Program was established the Emu Plains Correctional Centre (and the Parramatta Transitional Centre). The program is comprised of a full time residential care, and an occasional residential care program. The full time program allows for children to reside with their mother in custody up until school age. The occasional care allows for weekend, and or school holidays to be spent by mothers with children aged up until twelve years old. There is no Aboriginal specific program for mothers and children.

The Department of Corrective Services also operates the Aboriginal Culture Mercy Camps bi annually which caters for fourteen inmates (not necessarily Aboriginal identified places, but generally Indigenous inmates), and is a two staged out of centre camp for women. The camps have a cultural and spiritual context and provide participants with skills and respite. No formal evaluation has been undertaken of the camps, although anecdotally, they have been quite successful.

## Methodology

A staged methodology was used for this study to ensure that Aboriginal female inmates were able to contribute to the study using their own narrative to define their particular needs.

As part of Stage 1, a qualitative survey with Aboriginal female inmates was used. The survey was designed by the Aboriginal Justice Advisory Council in consultation with the NSW Department of Corrective Services. Five female Aboriginal research assistants interviewed approximately 50 Aboriginal women at Mulawa, Emu Plains, and Grafton Correctional Facilities. Five Aboriginal women at Broken Hill Correctional Facility were invited to participate in the study, but did not complete the questionnaire.

The Aboriginal Justice Advisory Council contracted five female Aboriginal researchers to conduct Stage 1 of the study. Ms Noeleen Clarke, Ms Michelle Davison, Ms Liz Holden, Ms Teresa French and Ms Janice Paulson comprised the Aboriginal Research Team. The Aboriginal Research Team were provided training in research skills and ethics, specifically for conducting interviews with Aboriginal participants. The Aboriginal Research Team was selected from across rural areas of New South Wales, and each woman possessed a broad range of skills and experiences, in particular working closely with Aboriginal women. The training was conducted by the NSW Aboriginal Justice Advisory Council and the Corporate Training and Development Unit, Attorney Generals Department, and covered topics such as interviewing skills, collating information and data, ethical dilemmas and handling complex situations. The training acknowledged the unique

skills in Aboriginal communication styles, which would be used to establish and maintain rapport during interviews. A Self Assessment Tool was designed specifically for the Research Assistants to monitor their reactions and experiences of interviewing Aboriginal women in custody, as well as provide some debriefing to them as a group.

Promotional information about the study was circulated throughout the Correctional centres and Information Sessions was provided with the Koori delegate and other Aboriginal women inmates at both Mulawa and Emu Plains Correctional Facilities. This was assisted by Ms Vivien Scott, Regional Aboriginal Programs Officer.

Each Aboriginal women in custody who participated in the project was given an explanation about the purpose of the study, and what would be involved, as well as what would happen with the findings. Each woman was ensured confidentiality concerning their identity and the information provided and that no names would be published in the process of reporting. A consent form was developed and read to participants. The Aboriginal Research Team indicated that some of the questions in the survey were personal, but that involvement in the study was completely voluntary and specifically that no penalisation would occur should the participant not complete the interview. Further, that participation in the study could be withdrawn at any stage.

Aboriginal women were interviewed on a one to one basis in visiting and interviewing rooms at Grafton, Mulawa and Emu Plains Correctional Centres. The surveys were conducted over a three week period. Each survey took approximately one hour to administer including time for debriefing and questions from the participant. Each woman was interviewed on a broad range of issues including, identity, offending history and sentencing, legal issues, health, housing, education, employment, stolen generations, and post release. A five point scale was used to indicate satisfaction. The scale ranged from "greatly" to "not at all" and was labelled at each point. Another five point scale was used to determine frequency and ranged from "all the time" to "never" and was labelled at each point. The survey was structured in a way that was based on Aboriginal "meet and greet"

protocols, using conversational techniques and styles, so that the survey would flow like a conversation, between two Aboriginal women.

A legal representative, Ms Belinda Russon from Warringa Baiya Aboriginal Women's Legal Resource Centre offered legal advice and made referrals for the Aboriginal women in custody who had specific legal concerns, or who had difficulties understanding legal concepts in the survey, such as bail and bail reviews.

Two women half completed interviews but came back at a later stage to finish the questionnaire. One woman completed the survey on her own.

Surveys were collated by the NSW Aboriginal Justice Advisory Council and coded in conjunction with the School of Professional Education, University of New South Wales. Responses were numerically coded into a single composite score for analysis using SPSS. Specific themes that emerged in the results of Stage 1, were further examined in Stage 2 of the study.

Stage 2 of the study involved a non structured interview with a small number of Aboriginal women in custody who participated in Phase 1. Participants were randomly selected to be part of Phase 2 of the study. A listing of possible participants of Phase 1 was used to select a sample and provided by the Correctional Centres. Those who were still in custody at Emu Plains were randomly selected and invited to participate in Stage 2 of the Inquiry. Stage 2 involved an unstructured interview that allowed Aboriginal women in custody to narrate their particular experiences and needs whilst in custody. A series of questions were designed to assist in opening and maintaining dialogue between the Researcher and participant.

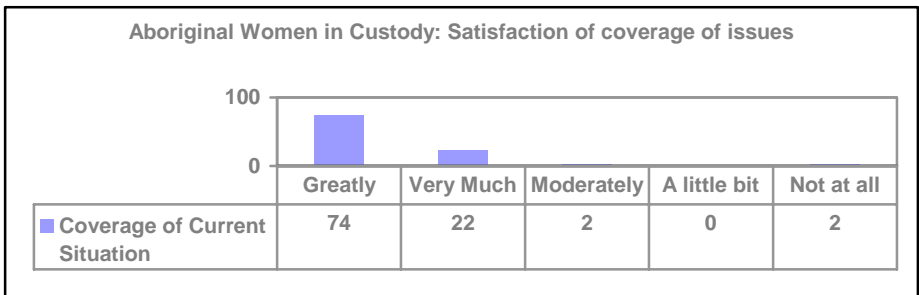
Interviews for Stage two were conducted with women at Emu Plains Correctional Facility in interview rooms. The interviews were negotiated between the Emu Plains Correctional Facility and the NSW Aboriginal Justice Advisory Council. Due to prior involvement, rapport was easily established and many participants noted the follow-up interview as a positive sign. The purpose of Stage 2 of the study was explained in

detail to each woman, who agreed to participate again. A consent form was signed by each participant, which stated that involvement was voluntary and consent could be withdrawn at any stage during the interview and that the information provided to the Researcher was confidential. Each interview was tape recorded using a mini disk player. Interviews were transcribed by the NSW Aboriginal Justice Advisory Council and incorporated into the studies findings and used as case studies and general comments.

# Demographics - who are the Aboriginal women in custody?

## Overview

At the time the interviews were conducted there were 104 Aboriginal women in custody. The Aboriginal Research Team interviewed 50 of those women, which is an approximate 48% participation rate, that is of the total number of Aboriginal women in custody at the time of interviews. It should be noted that on the days interviews were conducted, some women were not available to participate due to escorted leave, program participation or attendance at court. During the process of interviewing, participants were asked to what extent they were satisfied that the survey had captured a *full picture* of their current custodial situation. This was measured on a five-point scale rating from *greatly* to *not at all*. From the figure presented below, 96% of Aboriginal women who were surveyed were greatly satisfied or very much satisfied.



As mentioned previously, only women at Mulawa, Emu Plains and June Baker (Grafton) Correctional Facilities were interviewed. Of the total 50

participants, five were interviewed at Grafton, twenty two were interviewed at Emu Plains and twenty three were interviewed at Mulawa Correctional Facility.

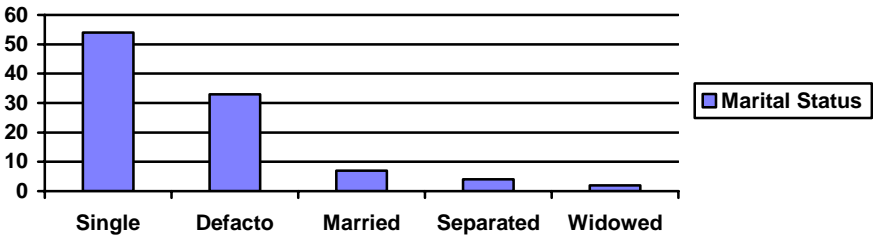
As a pre-requisite to completing the survey as part of Stage 1 of the study, participants were asked whether they were Aboriginal, Torres Strait Islander, or Aboriginal and Torres Strait Islander. All of the total 50 women identified as Aboriginal. One woman identified as being of both Aboriginal and Torres Strait Islander descent.

Aboriginal women were asked about their knowledge of their traditional heritage, and specifically, the Aboriginal Research Team asked the participants if they knew which tribe or “mob” they belonged to. This was done in light of keeping with general protocol of traditional meeting and greeting. At least 73% of the women said that they did know which tribe they belonged to, and an approximate 27% did not know which tribe they belonged to. Many of the participants revealed which tribe or in some cases language group, however, 11% of women who disclosed knowledge of this information did not say which tribe or clan group they belonged to. One woman was from the Queensland and one woman was from Western Australia. Approximately 10% of women said they were Yorta Yorta, 26% said they were Gamilaroi, 16% said they were Thungutti, 16% said they were Bundjalung, 29% said they were Wiradjuri and 6% said they were Gumbangirri.

Table 1.1 shows the age disparity of the Aboriginal women in custody that were interviewed for Speak Out Speak Strong. Generally, the Aboriginal population in custody are young women, as at least 68% were between 18 and 30 years old, at the time of interviews.

Age Disparity (years)	Number	Percentage %
18-20	2	4
20-24	16	32
25-29	16	32
30-34	9	18
35-39	4	8
40-44	2	4
45-49	1	2
Total	50	100

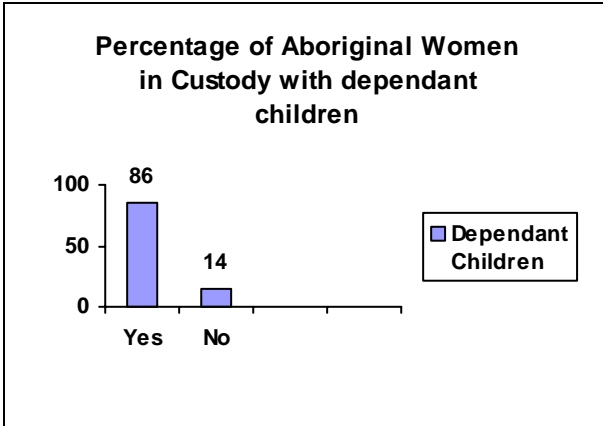
A significant proportion of the Aboriginal female inmate population is single. When asked about their marital status, approximately 54% of women said they were single, 33% said they were in a de-facto relationship, 7% said they were married, 4% said they were separated and 2% said they were widows. This information is recorded in the graph below.



## Mothers and Families

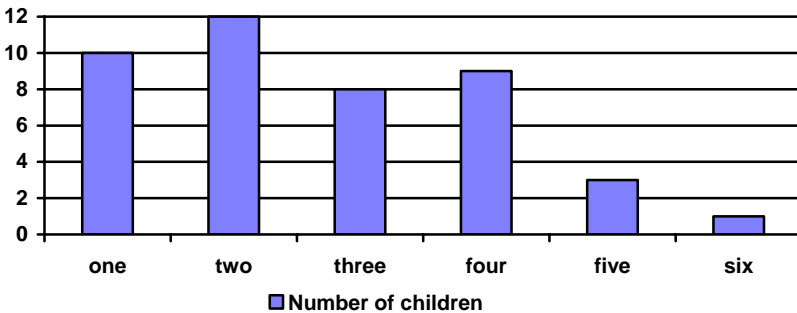
Aboriginal women in custody were asked a range of questions about their roles as mothers, and family members.

The graph below shows that the majority of Aboriginal women in custody are mothers and have usually more than one dependant children. Approximately 86% of Aboriginal women in custody are biological mothers to between one and six children, and 14% said that



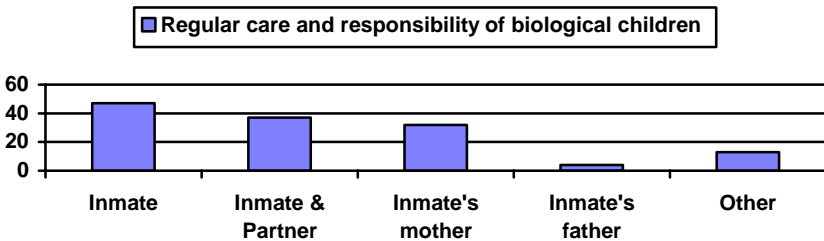
they are not biological mother to any child.

Results indicate that ten Aboriginal women had one child, twelve Aboriginal women had two children, eight Aboriginal women had three children, nine Aboriginal women had four children, three Aboriginal women had five children and one Aboriginal woman had six children. This information is presented in the graph below.

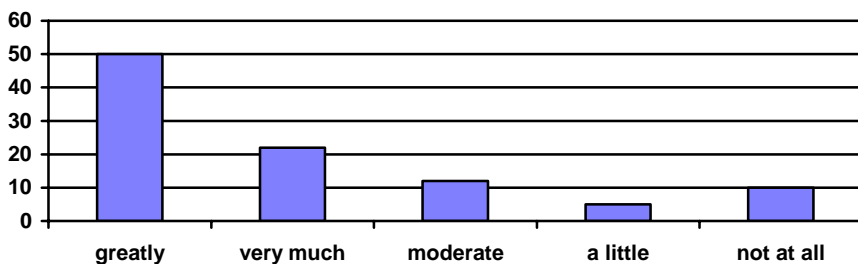


The Aboriginal participants were asked about regular care of their biological children and specifically who had primary responsibility for the children prior to them coming into custody. Generally, nearly half (46%) of the Aboriginal women in custody are the “regular” carers of their children as single parents, 37% shared parenting with their husbands or partners, 32% of inmates said their mothers were the primary carer of their children, 4% of inmates said their father (that is the child’s grandfather) was the primary carer of their children and 13% gave alternative responses which included that their children had grown up. Some of the participants indicated that sometimes the care was shared, for example one child might live with them and another with their father.

The results are recorded in the graph below.



At least 63% of Aboriginal women in custody had made their own arrangements to have their child/children placed with family/ other members prior to sentencing. Many of the women expressed that their child(ren) were with their grandmothers, partners and in some cases the Department of Community Service’s care. The Aboriginal Research Team asked the women about how they felt about their child/children’s current living arrangements. Responses were ranked on a five-point scale ranging from “greatly” to “not at all”. The figure below presents the satisfaction rates of women stating that 50% of women are “greatly”, 22% “very much”, 12% “moderate”, and 5% “a little bit” and 10% “not at all”.



Whilst, the majority of Aboriginal women have suggested they are satisfied, many women anecdotally expressed that they had “no other alternative”. Given that a large proportion of the women had made their own prior arrangements before sentencing, it suggests that many Aboriginal women were in fact expecting to be sentenced to imprisonment, and/or had been responsible in thinking ahead for their child’s welfare. As so many of the women interviewed were mothers, and that their children may need further support, and often in the care of other family members, these matters need constant consideration in sentencing. Alternative options to imprisonment need to be fully exhausted and additional support given to families who support Aboriginal women who are in custody. Furthermore, Aboriginal women do not currently access existing sentencing options that actually can fully% sustain their role as mothers, such as home detention. That a great deal of women are not completely satisfied or have shared concerns for their children whilst they are in custody adds to the already strained relationship with their children whilst they are serving a term of imprisonment. From the comments received during the study it is clear that Aboriginal mothers want to be with their children, but in a non-hostile environment.

The figures suggest that over one third or 37% of the women interviewed did not make arrangements of where their children would live until after sentencing. This placed extended responsibility on both the inmates to either arrange alternative care, and for family members to provide additional support to the inmate’s child. Sometimes, DOCS are involved and need to make foster care or other arrangements for

children of women who are sentenced. Support for family members needs to be consistent with the needs of the Aboriginal women in custody. The sentencing of Aboriginal women with children needs appropriate consideration before the courts, as well as consideration for complete exhaustion of finding alternative sentencing options for women with children.

Furthermore, a significant proportion of the Aboriginal female prison population have been excluded from their traditional roles as mothers and carers, as well that Aboriginal children are growing up, at least periodically without their mothers. Aboriginal families of inmates are missing an important link in Aboriginal customary practices of child rearing, education and discipline. A missing link also creates additional responsibilities on extended family members and widens the possibility of breaking bonds between Aboriginal mothers and their children. Aboriginal children can be effected by this breakdown in various ways and previous research has shown that inter- generational effects of children who are separated from their families may experience further detention or contact with the criminal justice system<sup>12</sup>.

The issue of Aboriginal women being removed from traditional or cultural responsibilities can also be illustrated through the care of other family members, in particular children, and mothers, fathers, and other extended family members. Kinship responsibility is largely still a part of Aboriginal culture today.

The Aboriginal Research Team asked participants if they were normally carers of children (other than their own biological children). Approximately 29% of women interviewed cared for children other than their own, on a regular basis, and eight of these women cared for between five and nine other children. When asked about the type of relationship the inmates had with the children, 38% said they were "aunties", 7% said they were "sisters", 7% said they were

---

<sup>12</sup> Human Rights and Equal Opportunity Commission - National Inquiry into the Separation of Aboriginal Children from their Families - Bringing Them Home

“grandmothers”, 15% said they were “nieces” and 23% said “other”, many of which included “step- mothers”.

Furthermore, the participants were asked whether they were normally responsible for the care of anyone else, (other than children) such as direct or extended family members, and approximately 29% of the sample population said they did normally care for other people This included: 64% for “mothers”, 38% for “fathers” and 7% for other family members such as “grandparents”.

This shows that almost one third of Aboriginal women are normally providing care to people other than their biological children and that when they are sentenced to prison, this responsibility is passed to another person, (usually a family member) or the care is removed. Many of the Aboriginal women in custody expressed their distress at not being able to provide this regular care, which in some instances exacerbated existing stress levels. This was especially in the case of women who were preparing for their release.

Furthermore, in looking at whether Aboriginal women who were mothers also provided care to either other children or family members, results suggest that at least 28% of Aboriginal mothers in custody normally provided care to other children, 14% of Aboriginal mothers in custody normally provided care to other family members and 12% of Aboriginal mothers normally provided care to both other children and family members.

The results indicate that Aboriginal women in custody play very significant roles within their communities. The role that Aboriginal women play within their family and community structures and the impact their removal has on their family and broader community needs consideration at the point of arrest, pre and post sentencing, particular in terms of alternatives to custodial sentences.

## Education

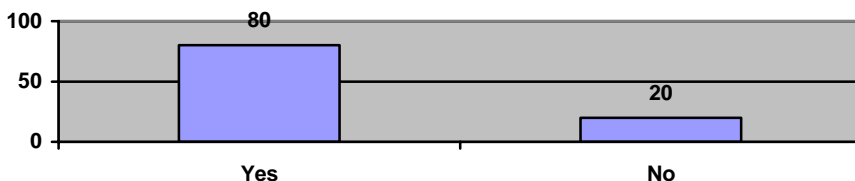
Many Aboriginal women in custody have received a limited schooling education and ceased schooling at a young age. Aboriginal women in custody are also likely to have left school prior to completing the Year 10 school certificate. When the Aboriginal Research Team asked participants what was the highest grade that they had completed at school, 12% said they had only completed primary school. Approximately 70% had left high school before they had completed the Year 10 school certificate, 2% did complete their year 10 school certificate, 2% went on to complete the Year 12 higher school certificate and 2% said that they never attended school at all. The Table below indicates the age, number and percentage of Aboriginal women when they left school.

Age when inmate left school	Number	Percentage %
8-9	1	2
10-13	9	18
14-15	24	48
16-17	16	32
Total	50	100

The figures suggest that a significant proportion of Aboriginal women have had limited schooling education.

Despite the figures above, Aboriginal women in custody have displayed much tenacity in pursuing other education outside of school and have gone on to pursue an educational course outside of the schooling system. Approximately, 80% of participants indicated that they had attempted an educational course after they left school, and approximately 50% successfully completed the attempted course. This indicates that four in five Aboriginal women in custody are interested in furthering their education, skills and / or knowledge and that half of them will graduate from these courses. The figures are presented in the graph below.

**Percentage of Aboriginal Women who have attempted further Education**



In a multiple response question, participants were asked where they attempted the course. Approximately 80% of women had attempted an education course at TAFE, 2% of women had attempted an apprenticeship with TAFE, 7% had attempted a University course, and 30% said that had attempted other courses including community colleges.

Participants commented on the quality of education they had received in alternative education environments, such as TAFE.

The figures suggest that participants are not only willing to seek alternative education, but are more than likely to complete studies. Results indicate that the majority of Aboriginal women in custody have had some form of further education outside of the school education system, which suggests that Aboriginal women in prison have a strong interest in furthering their education. One of the important factors to note is that generally, many Aboriginal women had left school at a young age (that is before they completed Year 10), with little formal qualifications. Consideration should be given then, to the reasons why young Aboriginal women were and are not completing school and the factors that caused them to leave school.

## Income

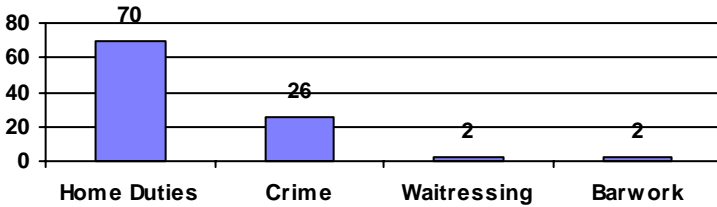
A significant proportion of Aboriginal women in custody did not receive benefits from Centrelink at the time of their last offence, despite a significant number of them stating that they were not working at that time.

Approximately 92% of the respondents said they were not working at the time of their last offence. Interestingly, only 52% of Aboriginal inmates said that during the time they were unemployed they had received benefits from Centrelink all of the time. Approximately 6% of inmates said they had received benefits for part of the time and 42% said that they did not receive benefits at all. Only 53% of mothers said that they were receiving a benefit before they came in custody, and only 4% said they were in paid employment at the time of the offence.

This means nearly one half or 43% of Aboriginal women in custody who had dependant children did not receive an income from paid employment or Centrelink payments, such as a sole parent payment or family allowance benefit. One woman said that *“centrelink did nothing for me, and that’s why I had to steal for a living”*. The absence of a regular income leaves a huge gap for Aboriginal women, especially those trying to support a family or provide care for extended family members, and places additional pressure on an already difficult situation.

The Aboriginal Research Team asked participants what they usually did for a living including home duties/mother, waitress, sales (behind counter), clerical, bar work, sex industry, drug dealing, seasonal work, other. Approximately 70% said that they were at home mothers, 2% did waitressing or bar work, 2% did seasonal work and 26% or approximately one quarter stated that their total income came from crime including 13% who stated their income came from drug dealing. The figures are presented in the graph below.

### Aboriginal Women in Custody: Source of income

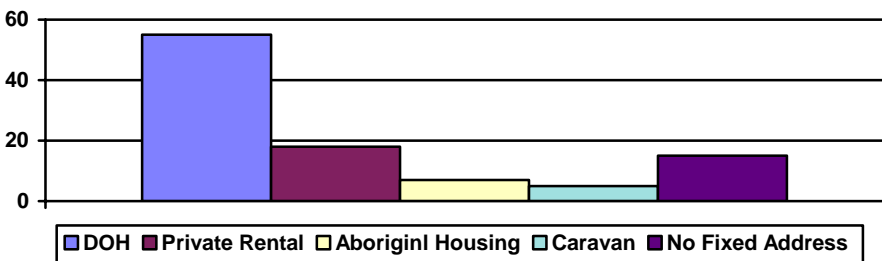


It means that in general, a significant one quarter of Aboriginal women in custody have relied on crime to support themselves or family members. Some women felt that this crime was an opportunity or resort to providing basic needs to family members, and felt it was a substitute for social welfare payments.

## Housing and Accommodation

Often adequate housing is seen a major need of Aboriginal people generally and especially an issues for inmates. This need is particularly important as inmates prepare to leave custody, many who have to find new accommodation or relocate because their housing or accommodation has been neglected, or lost because they have been unable to meet rental or other conditions whilst in custody. Housing may also affect sentencing and access to alternative sentencing options and access into particular diversion programs It was certainly an issue for the Aboriginal women who participated in this research, many claiming that they had lost both their housing and children, and to reclaim their children, they would need a stable environment and a place of residence, which would be in most cases difficult to obtain.

The Aboriginal Research Team asked participants about the type of housing that they lived in prior to coming into custody for their current charge. Approximately 55% of Aboriginal women had lived in accommodation provided by the Department of Housing (DOH), 18% were living in private rental, 15% were either homeless or had no fixed address, 7% lived in housing provided by Aboriginal housing services and 5% stated they lived in caravans. The results are shown in the Table below.



In examining the role of the participant as a regular carer of their biological children and type of housing, it was found that a significant proportion of the women (85%) who lived in Department of Housing accommodation (DOH) were mothers, 8% of women living in private rental were mothers. Approximately 7.5% of women with a no fixed address or living on the streets were mothers and 7.5% of women living with other family members were mothers. This shows that a significant 15% of Aboriginal women with no permanent residence were mothers with children.

The need for suitable and permanent housing is a serious concern for Aboriginal women, in particular those who are the usual sole carers of children. This matter will certainly impact on sentencing options, for example, community service orders and home detention heavily depend on a permanent residence of the offender. The need for priority housing and access to residence will also impact on Aboriginal women who are leaving prison. In many situations, Aboriginal women either have lost their homes whilst in custody or did not have a place to live prior to serving a sentence, and it will often these aspects of basic welfare that will influence their children being returned to them (especially in DOCS care) and or removing barriers that may prevent re-offending.

From a list including "your children", "partner and children", "partner", "alone", "mother", "other", participants were asked who they were mainly living with in the last six months prior to coming into custody. This was asked in a sense to gain a context of the environment they lived in as well as explore the type and level of support they may have had within the community. Approximately 30% of Aboriginal women in custody were living with their children (alone), 18% were living with both their partner and children, 14% were living with their partners, 10% were living alone and 28% said they had lived with their mother in the last six months prior to coming into custody.

The Aboriginal Research Team explained to participants what a "*ward of the state*" was. Most participants were familiar with the term. In asking whether they had ever been made a ward of the state, 22%, or just over 1 in 5 Aboriginal women in prison had been made a ward of

the state at some stage in their lives. Of the Aboriginal women in custody who had been made wards of the state, approximately 54% said they were between one and two years old, 9% between three and four years, 28% between five and nine years and 9% between ten and fourteen years of age, at the time. Approximately 60% were placed in foster care, 20% in institutional care, 10% were adopted and 10% had other care arrangements.

# The Criminal Justice System

---

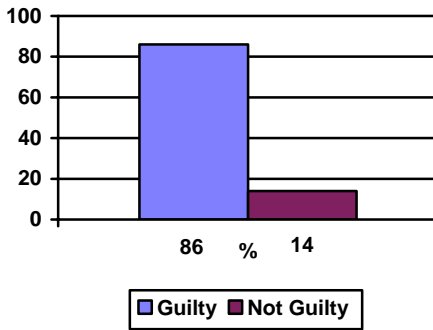
## **Sentencing**

To gain a full understanding of Aboriginal women's experience in custody, it was vital to explore their involvement in the criminal justice system, in particular sentencing. There are many factors that can result in a person serving a term in prison, and examining how they came to serve a sentence can give an indication of areas that may need reform.

Approximately 84% of Aboriginal women in custody who were interviewed for Speak Out Speak Strong were currently serving a sentence. This meant that approximately 16% of Aboriginal women in custody were on remand, at the time the interviews were conducted. The Department of Correctives Services have since advised that the Aboriginal female remand rate can fluctuate anywhere between 25-31%, at any given time. The figures indicate that a significant proportion of Aboriginal women are always remanded to custody, which raises many issues concerning access to bail, accommodation, parenting and health.

As shown in the figure below, approximately 86% of Aboriginal women in custody pleaded guilty for their most recent charge at the time of sentencing. The figures are presented in the table below.

## Aboriginal Women in Custody: plea



One Aboriginal woman said that she didn't enter a plea of guilt and that she was not asked. This woman did not have legal representation at her hearing but said:

*"I should have got a chance to go back to court. Once you are in here but – you may as well do the time and get it over and done with. Why go back to those little police cells when they just chuck you in there and don't worry about anything else?"*

When the Aboriginal Research Team asked participants if they had been granted bail at any stage, the majority of women (approximately 70%) said they had not been granted bail. Many women suggested this was because:

*"of serious charges" or "the nature of the offence"*

Some women reasoned this was because they had been *"bail refused all the time"* or that they simply did not bother *"I didn't apply. I knew with my record that I would not get it"*.

Of the 30% of Aboriginal women in custody, who had been granted bail at some stage, 67% said that they had previously breached their

bail conditions. The range reasons for breaching conditions that were broad and included: failure to notify change of address, failure to report to police/probation officer, failure to attend weekend detention, failure to complete drug rehabilitation.

In one interview a woman said that she had breached her bail condition to report three times per day, because she felt that it was an unreasonable bail condition to meet and *“also the surety of \$1000 also placed on me, it stressed me out that I might not have got the money. I was also really stressed out that I had to walk in extreme heat, cold or rain to report three times a day”*.

Given that many of the women surveyed were unemployed and mothers of young children it appeared that placing significant sureties on them was an unreasonable bail condition. Further, it appears in many cases that Aboriginal women were not expecting to gain bail, in most circumstances they were expecting a prison sentence. It appears that many have lost faith in processes that have previously failed them.

At least 80% of Aboriginal women have applied for a bail review.

## **Experience of Arrest and Court**

When asked if the Police Aboriginal Community Liaison Officer offered the participant any support at the time they were charged, at least 69% of Aboriginal women in custody said that no support was offered. Many women had expressed a sense of distrust and annoyance at the levels of racism they had experienced during their arrest.

At least 60% of all Aboriginal women in custody had either an Aboriginal Court Liaison Officer or an Aboriginal support person (family /friend) at their most recent court case.

The Aboriginal Research Team asked participants about the role that Aboriginal communities/ Elders could play in sentencing, including court and community support and particularly their role in providing background reports to the court. Participants explained: *“we should*

*have an Elders Council or representative to go before the Magistrate to give some background on the inmate to understand where Aboriginal people are coming from, and Magistrates should have cultural training as well”.*

The women strongly felt that their own community should play a greater role in deciding what happens to them and that greater community involvement would help them deal with the reasons they were offending. One woman suggested in particular that: *“Elders meeting about different ways of dealing with why we offend and getting a lot more support to turn negative into positive situation – like working and achieving goals”.*

In general, the Aboriginal women in custody had explained that Aboriginal communities should be more greatly engaged in the criminal justice system, in particular sentencing. In many cases, Aboriginal women felt that not only would it assist with criminal justice processes but it would also give the women some cultural guidance. Specifically Aboriginal Elders play an important role in providing guidance to younger generations. Their involvement in law and justice may display that guidance to some of these Aboriginal women.

Aboriginal women in custody were asked if a probation and parole officer provided the Magistrate with a report at their most recent court case and 62% of women interviewed stated that a report had been provided, 34% said no report had been provided and 4% were not sure or could not remember if a report was provided. The Aboriginal Research Team asked the participants whether they thought this had affected the outcome of their sentencing. One woman who said that a probation and parole officer provided a report said of the report *“it suggested I go to gaol. I don’t even think the Judge even read it”.* Some women suggested that the report *“made things easier”* or *“lessened the sentence”.* Other women complained that the probation and parole officers often do not provide a very accurate and thorough background reports. For example *“ the report affected the sentence outcome greatly...one little mistake in the parole’s eyes is enough. They don’t see how hard it can be when you’ve lost*

*everything and they don't even try to help with family issues...everything has to be addressed 'their way or no way'".*

One twenty two-year-old mother stated:

*"The report was bad. This influenced the court in sentencing me to imprisonment. Probation and Parole didn't look at the facts that I had a baby to care for or that I had been clean from drugs for over two years.... I didn't start using drugs until I came back to prison...this time I got thirteen months without even seeing the Magistrate. A man who didn't even identify himself told me this. He said 'you'll be going back in the truck to Mulawa'*

Another woman said about the report provided by probation and parole *"it sunk me - it was more of a put down - giving her opinion rather than the facts".*

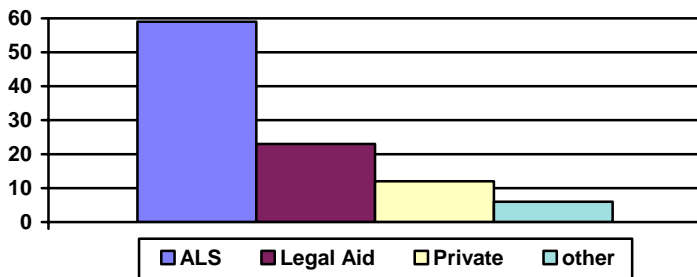
Many Aboriginal women felt that Probation and Parole had a very strong link with their current situation and that reports and interaction with this service had a very strong influence on their sentence and on what kind of support they receive upon release. Many participants felt that a thorough background report could be contributed from an Elders Council, Aboriginal community representatives, which could provide the courts and Magistrates with a better indication or account of that person's life. Distinctly, there appeared to be a lack of trust between the Aboriginal women interviewed and the Probation and Parole Service, and many suggested it would be better to have more Aboriginal probation and parole workers employed in regional towns and cities where the majority of the inmate population have lived.

Mostly Aboriginal women in custody who are mothers believed that their prior child care arrangements would impact or affect sentencing. At least 76% of women said that “yes”, sentencing will be affected by my child care arrangements. Whilst not many women revealed why this would be affected, in further interviews, participants said they believed that arranging a child care placement might lessen a sentence.

## **Legal Representation and Advice**

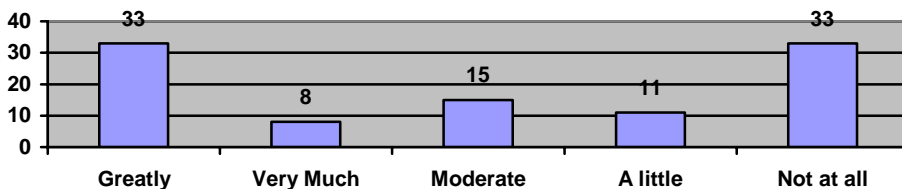
Aboriginal women in custody were asked about their experience of legal advice and support. It should be noted that as part of the research design, a solicitor (from Warringa Baiya Aboriginal Women’s Legal Resource Centre) assisted the Aboriginal Research Team with legal inquiries and referrals. Many Aboriginal women who were interviewed requested further legal advice and referrals were made by the solicitor from Warringa Baiya.

At least 88% of Aboriginal women surveyed said that they did have legal representation at their last court appearance. An Aboriginal Legal Service, Legal Aid, Private Solicitor, Women’s Legal Resource Centre, or Warringa Baiya Aboriginal Women’s Legal Centre legally represented most of the Aboriginal women in prison. The services, which provided the legal representation, are presented in the figure below.



The Aboriginal Research Team asked participants about their levels of satisfaction regarding the quality of legal representation at their most recent court hearing. This was measured on a five point scale ranging from "greatly" to "not at all". Generally, 33% of Aboriginal women were "greatly" satisfied with the quality of legal representation, 8% were "very much", and 15% were "moderately satisfied, 11% were "a little bit" satisfied and 33% were "not at all" satisfied. The figures are presented in the graph below

**Aboriginal women in custody: Satisfaction with legal representation**



The results suggest one third of the women were greatly satisfied, one third not at all and one third somewhere in between. To further explore

why some of the women were not pleased and some were genuinely pleased about their legal representation, the Researcher examined location and type of legal service.

In looking at the service and satisfaction levels, of the 58% of Aboriginal women who said they were represented by Aboriginal Legal Services, only 8% of these women reported being “not at all” satisfied with the quality of legal representation. This shows that the bulk of Aboriginal women who were not at all satisfied with their legal advice were not represented by the Aboriginal Legal Services, but by other services such as private or Legal Aid.

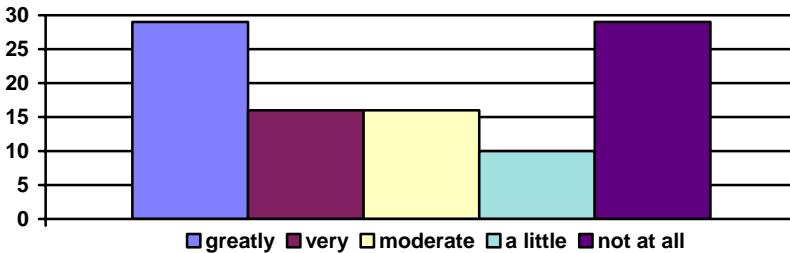
One woman said of her legal representation *“ I am sick of pleading guilty for a lesser charge for the solicitors' sake, and you don't get a lesser sentence anyway”*.

Comments from participants indicated that they felt that the quality of representation that they received largely influenced decisions. Furthermore, access to legal information and representation or advice largely impacted on the participant's current circumstance. For example, one woman said *“ you really need to be sure that legal representatives and solicitors actually turn up when court is on and you need to have a solicitor that is familiar with the inmates case”* and *“I didn't know the court system at all, and it wasn't explained to me about the consequences.....for example, I have a 16 month sentence because I didn't understand that if I didn't attend weekend detention I would have a full time custodial sentence.....and appeal processes are not explained properly”*.

Many Aboriginal women made comments about the complexity of court room jargon and language that made them feel alienated from the entire process.

When asked whether they had received any legal advice since they had been in custody, only 68% of Aboriginal women said that they had received any form of legal advice, the bulk of this being for criminal matters (62%). This means that one third (32%) of Aboriginal women in custody have not had any legal advice since they have been in

custody. Further, many requests were made for legal referrals during the course of interviews for this study. This is further reflected when Aboriginal women were asked about how legally informed they felt about their current situation. This was measured on a five-point scale ranging from “greatly” to “not at all”, and the results are presented in the figure below.

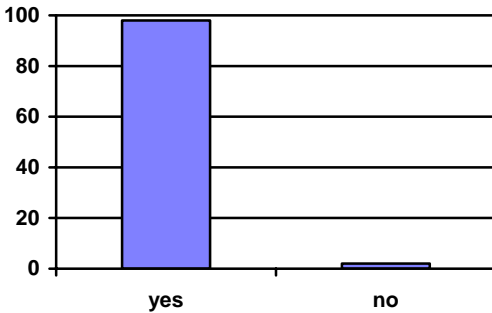


The figures indicate that at least one third of Aboriginal women feel that they are not well informed of their current legal situation. The results suggest that there is at least one third of women who are not satisfied with the quality of representation and one third who are not kept legally informed. Many Aboriginal women expressed concern and anxiety about their legal status and about upcoming hearings. There is a serious gap in legal advice and representation for at least one third of Aboriginal women coming into contact with the criminal justice system and serving or being remanded to custody.

It is a major concern that a significant number of Aboriginal women in custody have either not received any legal advice nor did they feel legally aware of their legal situation. Many of the women who were interviewed were quite desperate for legal information especially about their cases.

## Prior Convictions as Adults

The figure below presents the adult prior convictions of Aboriginal women surveyed. It shows that the overwhelming majority of Aboriginal women in custody (98%) have had a prior conviction as an adult.



Furthermore, of those women with prior convictions, approximately 34% had between one and four convictions, 12% between five and nine convictions, 18% between ten and fourteen convictions, 16% between fifteen and twenty nine convictions, 10% above thirty convictions and 10% had either “too many to remember” or were “not sure” of the total number of priors. This information is illustrated in the table

Number of Prior Convictions	Number of women	Percentage %
1 – 4	16	33
5 – 9	6	12
10 – 14	9	18
15 – 29	8	16
30 +	5	10
Not sure	5	10
<b>TOTAL</b>	<b>49</b>	<b>99</b>

The majority of Aboriginal women in custody received their first adult convictions at a very young age, with at least 58% first convicted between the ages of 18-19 years, 24% between 20-24 years, 10% between 25-29 years, 2% between 30-34 years and 6% above 35 years.

In a multiple choice response, asking the women what types of sentences they had previously received, they stated that: 84% had previously received bonds, 86% had been fined, 84% had received some type of probation, 75% had been sentenced to prison before, 97% had previously been placed on weekend detention, 18% had previously been on parole, and 59% had previously received community service orders.

The results show that a significant three quarters of the female Aboriginal prison population has previously served full time gaol sentences and that 97% have previously spent at least some time in prison.

### **Prior Convictions as Children**

As juveniles, approximately 60% of the Aboriginal women surveyed stated that they had been convicted by a children’s court. At least 36% of Aboriginal women who were convicted as juveniles said that they were first convicted between eleven and twelve years, 34% between thirteen and fourteen years, 27% between fifteen and sixteen years and 3% between seventeen and eighteen years. The information is presented in the table below:

<b>Age of first juvenile convictions (years)</b>	<b>Percentage points</b>
11 – 12	<b>36</b>
13 – 14	<b>34</b>
15 – 16	<b>27</b>
17-18	<b>3</b>
<b>TOTAL</b>	<b>100</b>

Women were asked to recall how many times they had been convicted as juveniles, and 33% stated they had had between 1-4 convictions, 13% between 5-9 convictions, 17% between 10-19 convictions, 7% between 20-29 convictions, 2% between 30-49 convictions and 23% could not recall. This information is presented in the table below:

Number of juvenile convictions	Percentage points %
1 – 4	33
5 – 9	13
10 – 19	17
20 – 29	7
30 – 49	2
Not sure	23
<b>TOTAL</b>	<b>100</b>

This shows that the Aboriginal women surveyed have generally experienced a high rate of ongoing contact with the criminal justice system from a very young age. These findings support arguments from a number of sources suggesting that once an Aboriginal person is arrested, it is very hard to break this cycle of repeat offending and contact with the criminal justice system, and ultimately custodial sentences. Addressing the underlying causes of offending and exploring alternative sentencing options and post release options needs further examination.

Substantial numbers of Aboriginal women have had prior custodial sentences suggesting that a pattern of incarceration has been set early for these women early in their life. This prior contact with the criminal justice system impacts on the sentencing of Aboriginal women who re-offend. In fact, it appears to be a revolving door for Aboriginal women who have a place in the gaol life. Furthermore, the cycle of offending could best be addressed at a juvenile stage, to prevent a long term involvement with the criminal justice system.

Support systems need to be reflective of Aboriginal cultural practices, as well as drawing on the need to further stronger community infrastructure to support Aboriginal women returning to their families.

## Underlying Issues

---

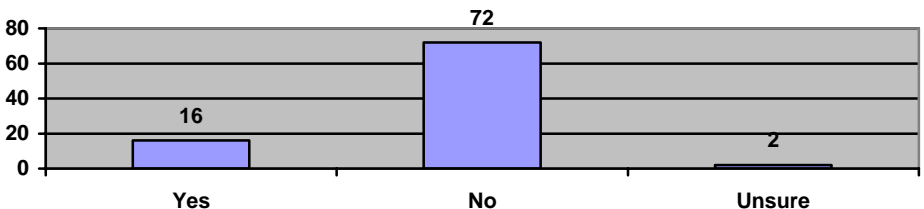
This section will explore some of the issues that Aboriginal women in custody identified had a particular impact on their offending behaviour.

### Mental Health

Aboriginal women were asked about their mental health and about their care during custody and upon release to the broader community. A small proportion of Aboriginal women are affected by mental health issues.

When Aboriginal women were asked whether they had a disability, only 8% felt that their mental health was a disability. However, approximately 16% of Aboriginal women said they had been diagnosed with a mental health illness, 2% were not sure if they had been diagnosed and 72% said they had never been diagnosed with a mental health illness. The results are presented in the graph below.

**Percentage of Aboriginal women diagnosed with a mental illness**



Aboriginal women in custody were familiar with the medical term “diagnosed” in most situations, but in some cases this was further explained that either a psychiatrist or psychologist had made a diagnosis of their state of mental health.

Aboriginal women who had been “diagnosed” with a mental health illness were also aware of the terms of their illness as 50% said they had been diagnosed with schizophrenia and 48% with bi polar disorder and 2% with panic disorder.

Some women commented on their lack of ability to see psychiatrists and psychologists and the lack of Aboriginal mental health workers within the correctional system as well as in the broader community. One women who said she had been diagnosed with acute panic disorder said “ *I have been here for one month and I haven’t seen the psychiatrist...I have seen a doctor only once....the medication I am on is not working....I don’t think it’s the right one*”. There was further discrepancy about the accuracy of diagnoses made as one Aboriginal woman who had been diagnosed with “paranoid schizophrenia” said “*I don’t think I have paranoid schizophrenia. I am able to control it by anger management alone*” and one woman who had not been diagnosed commented that “*they tried to diagnose me, they thought I had a problem because I had mood swings. They wanted to medicate me because I switch off*”.

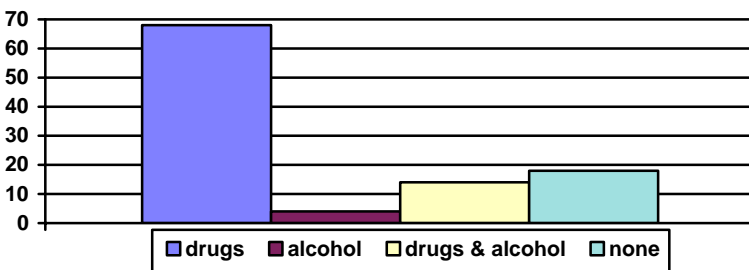
The figures show that between one and two in every ten Aboriginal women are likely to suffer from mental health issues and need specific care and services whilst in custody. This includes appropriate medication, counselling and regular review of medication and health needs. In particular, these mental health issues should be raised in the context of sentencing. Additionally, these issues will need close monitoring, supervision and the provision of specific health care services when released.

The need for Aboriginal mental health specialists was also raised as a major need for Aboriginal women in custody as well as when released from custody.

## Drugs and Alcohol

Aboriginal women in custody were asked about their relationship with both drugs and alcohol and about the role it has played in their offending behaviour.

Most Aboriginal women claim that they have used drugs, and that drug use has had specific influence on their offending. The figures below present results of questions asked about whether the participants were under the influence of drugs, alcohol, or drugs and alcohol at the time they committed their last offence and about the involvement of substances in their offending. Approximately 68% of Aboriginal women were on drugs at the time of the offence, 14% were under the influence of alcohol and 4% were on both drugs and alcohol at the time of committing the offence. At least 18% of Aboriginal women in custody were not under the influence of drugs or alcohol at the time of offending, however two of those women said they were heroin users and at the time of the offence were not under the influence of drugs.



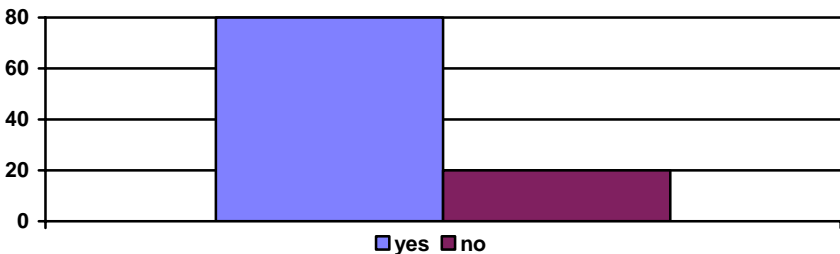
The results show largely that drugs, and significantly heroin, play a major role in the lives of the Aboriginal women who were interviewed. Whilst some Aboriginal women in custody revealed that alcohol was an intrinsic link with their offending, the figures represent that Aboriginal

women are less likely to use alcohol at the time of offending. It would be therefore, important to recognise that in the development of diversion programs and rehabilitation centres, that detoxification and clean life without drugs is a major aim for Aboriginal women in custody.

When asked about their principle drug of choice, a significant proportion of Aboriginal women in custody reported heroin use. Approximately 50% of Aboriginal women reported heroin as their main choice of drug, 22% said their main choice of drugs was pills (including ecstasy and barbiturates), 24% said speed or amphetamines, and 26% said cocaine. Nearly half, 48% of the Aboriginal women reported cannabis as a primary drug. Many women were poly-drug users and selected more than one drug as drug of choice.

Most Aboriginal women did not use alcohol at the time of committing their offence. In fact only 14% of Aboriginal women used only alcohol when they offended.

The Aboriginal Research Team asked Aboriginal women in custody whether they thought that alcohol and/or drugs was a contributing factor in their offending behaviour and current imprisonment. The figure below shows that four out of five Aboriginal women in custody believe that alcohol or drugs was an underlying issue in their offending with approximately 80% of participants responding in the affirmative.



In further discussions the Researches asked Aboriginal women about this relationship.

One woman who was a single mother to three children said that *" the reason why I am in here is because I assaulted someone. ...I was on speed at the time, and if I wasn't on that, then I wouldn't have done the assault"*. This same woman had only three prior convictions as an adult and mentioned that the first time she had been convicted was *"on fraud charges...I was twenty and got six months....the circumstances behind the offence was drugs....to pay for somewhere for us to live"*.

One woman who had been drinking spirits and beer for over a 24 hour period explained that *"because there is nothing to do (in our town) we sit around and drink and get into trouble"*.

Many women expressed that there are very little support or rehabilitation centres for Aboriginal women with drug problems. Many of the Aboriginal women in custody made comments about the need for rehabilitation and detoxification units for Aboriginal women. Another woman who had been had remanded in custody for 4 months explained, *" I had taken heroin and was looking for another fix...a lot of young (koori's) are on drugs and there should be more places for them to dry out"*. Similarly, *"if we had more support, then we wouldn't need alcohol or drugs, we need housing when we get out of custody"*, and *"if there were more rehabilitation centres available to me earlier in life, maybe I would not be in the situation I am today."*

Some women commented on the lack of sentencing options for Aboriginal women with serious drug problems and a notable interest in completing programs. One 22 year old Aboriginal woman, who had five prior convictions commented that *"when I was first convicted at 18, I was shoplifting to sell goods so that I would have money to buy drugs.....I have never been offered drug rehabilitation. I wanted to go to drug rehabilitation but have never had the opportunity"*. This woman now is on 85 mls methadone per day at Mulawa, after overcoming a heroin habit.

Aboriginal women in custody were surveyed about the social network they had lived in during the last six months before coming into custody and specifically whether anyone they had lived with had a drug or alcohol problem. At least 70% of Aboriginal women in custody said that they had lived with someone in the last six months who had a drug problem. In further questioning about the extent of exposure to drug and alcohol abuse, Aboriginal women were surveyed about whether anyone in their family had problems with drug and alcohol addiction, and approximately 62% of women surveyed said that someone in their family had a drug or alcohol problem.

These figures show that drug and alcohol problems were a common part of the life experiences of the Aboriginal women who were surveyed.

The figures suggest that the Aboriginal women surveyed have a significant involvement in drug related crime, particularly stemming from heroin use. Many of the women discussed the traps of heroin and other drug abuse and often wanted to break the cycle of crime through stopping their drug habits, but quite often need specific support and assistance to do this. Whilst the establishment of the Drug Court and recent Magistrates Early Referral Into Treatment Program pilots have been largely successful, these particular programs have quite strict eligibility. Entry relies heavily on the residence or location of the offender. Many Aboriginal women either have lived on the streets or in the inner city regions, which means they do not get the option of Drug Court (or MERIT where established). What is needed is a supported accommodation service that actively rehabilitates drug usage by Aboriginal women that can establish and support the connection between offenders and their families.

# Abuse

## Child Abuse

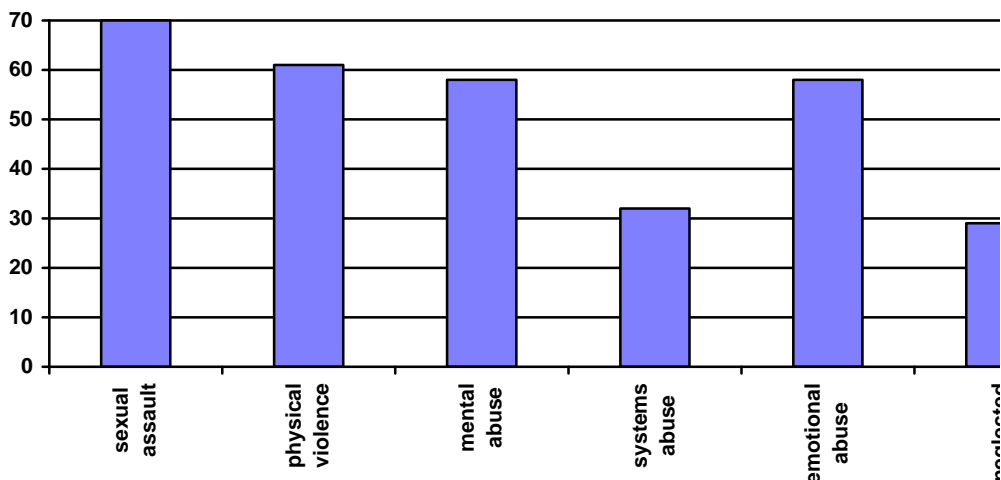
Aboriginal women in custody are likely to have been victims of violence as children.

The Aboriginal Research Team asked participants whether they had suffered any child abuse as a young person between the ages of 0-18 years. Nearly three quarters of Aboriginal women in custody (70%) revealed they have been victims of child abuse. These figures are presented in the graph below.

The Aboriginal Research Team then asked participants what forms of abuse they had suffered as children from a list including child sexual assault, incest, physical violence, mental abuse, systems abuse, emotional abuse, neglect or other. An explanation of each of the terms was provided to participants. The figure below shows that at least 70% of Aboriginal women surveyed were sexually assaulted as children, and 14% said they were incest survivors. Approximately, 61% of participants were victims of physical violence (other than sexual assault), 58% suffered mental abuse, 32% were victims of systems abuse, 58% experienced emotional abuse, and 29% said they were neglected as children. Many of the women surveyed suffered more than one form of abuse. The results are presented in the graph below:

## Experience of child abuse

below:



Many of the women surveyed had kept the child abuse a secret and not told anyone at the time what was going on. Only 29% of the women who had been abused had told someone about the abuse. Many women who were surveyed mentioned during the interview that the survey was the first time they had disclosed childhood abuse, in particular sexual assault. When the Aboriginal Research Team asked participants if they felt that they still need support or counselling for the abuse to be resolved, at least 68% of the women said they did.

This shows that many Aboriginal women offenders have themselves been victims of violent crimes, and have not been able to address the abuse through the general or mainstream services. Prior research suggests that victims of abuse, particularly child sexual assault, who receive an appropriate service are less likely to experience triggers or behavioural problems later in life. The figures suggest that many Aboriginal women in custody were victims of violence offences long before they were "offenders" themselves.

In further examining the relationship between child sexual assault and adult behaviours, the researcher found a link between unresolved trauma and drug abuse, specifically heroin and offending behaviour.

Some Aboriginal women explained that child abuse and unresolved trauma as a child was primarily the underlying issue in their drug abuse and offending behaviour and current imprisonment. As one 27 year old mother of three children said that her abuse issues started to trigger when she was first charged as an adult and that she:

*“didn’t care about anything....worries about access with children and abuse issues kept triggering....I need to talk....at the time of the offence I was on speed, but mainly the (reason why I am in prison this time) is my past traumas of child abuse and domestic violence from three relationships not being dealt with were the factors”.*

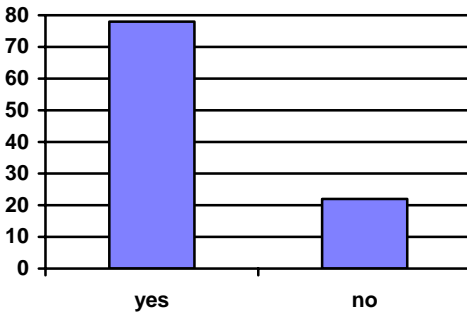
One 23 year old Aboriginal women with four children who was on heroin at the time of committing her offence who had been child sexually assaulted by a family member (as well as being sexually and physically abused as an adult) said *“basically the abuse is why I started on drugs”*

This figure below shows that approximately 71% of women who had been abused as children identified as having a drug problem. Nearly three quarters of the women who said they had a drug problem were heroin users and that approximately 72% of these women were also victims of child sexual assault.

## **Adult Abuse**

Aboriginal women in custody were also likely to be victims of violent abuse as adults.

The participants were surveyed about abuse they had experienced as an adult (above 18 years) and the results presented in the figure below show that 78% of Aboriginal women in custody have been victims of violence as adults. Nearly one half of Aboriginal women were victims of a sexual assault as an adult (44%) and 5% of women said a family member sexually assaulted them.



Approximately four in five Aboriginal women have been victims of domestic/family violence, whilst 75% said they had experienced mental or psychological abuse. A significant 86% of Aboriginal women in custody experienced emotional abuse and 36% of women experienced systems abuse. Some women stated that they had experienced more than one type of abuse.

There is a substantial link between Aboriginal women who were victims of child sexual assault, and victims of violent abuse as adults and who use illicit drugs, particularly heroin. Approximately 98% of women who are victims of child sexual assault and have a drug problem were also victims of violent abuse as adults.

Maintaining silence about abuse, in particular domestic or family violence was a characteristic of the women who were surveyed. Only 38% of Aboriginal women in custody had told someone about the abuse that had happened in their life as an adult. When asked whether they still needed support and or counselling to help them

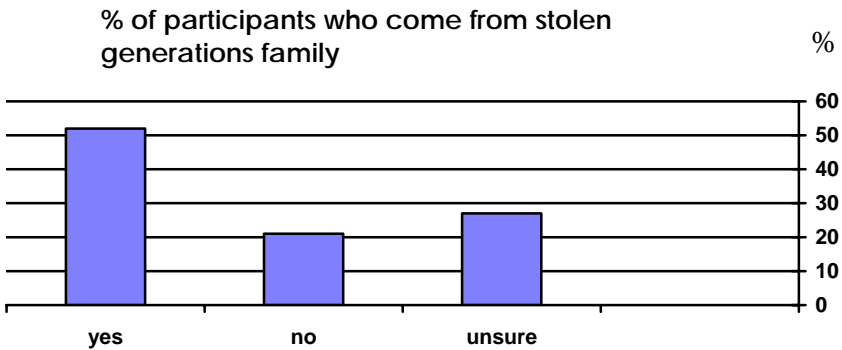
resolve these issues at least 60% said that they do still need support and or counselling, 38% said they did not and 2% were not sure.

Aboriginal women in custody made a number of suggestions about the type of support that would be most suitable to help address the problem of childhood and adult abuse, including talking with other Aboriginal people, Counselling and Group Workshop . Most Aboriginal women stressed the need for more female Aboriginal counsellors and support people to help address this matter.

## Separation from Families

Aboriginal women in custody were asked about their personal experience forced child removal policies. The Aboriginal Research Team gave participants an explanation of "stolen generations".

A little over half the Aboriginal women in custody have come from a family that has been affected by the stolen generation. 52% of the women said they had come from a family affected, 21% said they had not come from a family affected by the stolen generations issue, and 27% were not sure. The results are presented in the figure below.



When asked in further detail about the nature of that effect and specifically who in their family had been separated. 15% of Aboriginal women revealed that they had been a victim personally, and approximately 30% said their mother was separated from her family, 10% said their father, 6% said their grandmothers and 8% said their grandfathers.

Aboriginal women in custody who were personally victims of the stolen generations- forced removal policies were taken from their families at significantly young ages that is from between birth and twelve years.

Only a small proportion of the women who had contacted their biological families had received help from an external agency (such as Link Up) or other to search for family members.

This has had a major impact on these women. For example, one Aboriginal woman who was forcibly removed at twelve years of age was placed in a foster care situation, where she gave birth to a child at thirteen years of age. She says :

*"I was in foster care with my baby. I had my baby when I was thirteen years old.....I ran away and left my baby.....and I was so sad when I got back to mum. My emotions were all up in the air. I feel like my childhood was thrown away.....I didn't have a good relationship with my mum...but I want to get on good with mum now and I want to maintain the good mother - daughter relationship....one of my kids is with mum, two are in DOCS care and the other is with my mother in law....the children with DOCS were forcibly removed and I do not want them to be made wards of the state....I would like all my children with me".*

The effects of separation from family are devastating for those who have been removed or do not have contact with their biological families. Women reported that separation from family and community takes years to accept and time to heal, before the wounds have ceased to cause problems in day to day behaviour.

For example, one 27 year old woman who was first convicted by a children's court at 13 years said:

*"I don't have any contact with my natural family and today I accept that....although when I was younger I wanted to belong. I feel that it was and maybe is too many years to rebuild something I wanted.....and.....in ways my thoughts are*

*changing as the people who raised me are my family – the ones who have truly been there for me”.*

It is integral that women who have been separated from family previously have the opportunity to reveal their problems and talk through with professional staff whilst they are in custody. Like other issues of abuse, these wounds are deep and not often disclosed in a regular situation, but pose a great risk to the safety and general health and well-being of Aboriginal inmates.

## **Imprisonment**

This section will discuss Aboriginal women's experience of custody in each of the three Correctional Facilities where women were surveyed: Mulawa, Emu Plains and June Baker (Grafton).

Each of the facilities has different programs available, for example the Mother and Children's Unit is available only at Emu Plain Correctional Facility.

## **Reception Screening and Induction Program**

When an inmate is remanded into custody, she goes under an initial screening process and according to the Department of Corrective Services, the aim of the program is to:

- ❑ Ensure an inmate's health, safety and welfare by gathering relevant information that could pose as a potential risk upon entry to custody;
- ❑ Reduce anxiety and agitation through the provision of appropriate support;
- ❑ Provide information about the correctional facility and to adjust to imprisonment;
- ❑ Develop a profile of an inmate's social, education, alcohol and other physical and mental health background and status to initiate case management planning.

Case management planning was first implemented in the Department of Corrective Services in 1992 and aims to effectively program and manage inmates to prevent further offending, increase their safety, and determine the inmate's security classification and placement. The screening recommends the type of intervention, and treatment required.

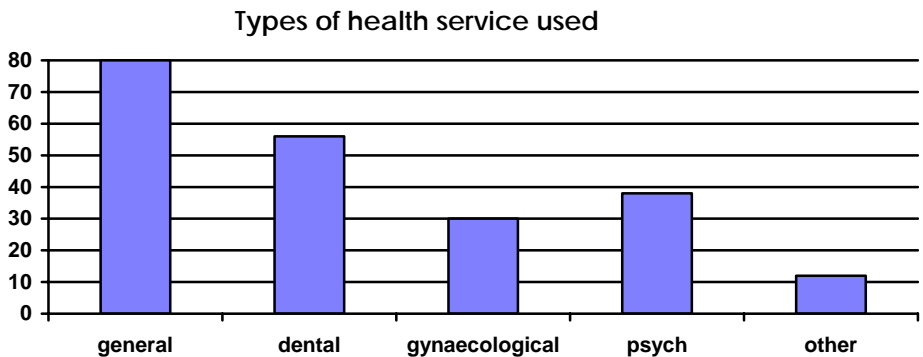
Whilst case management was specifically asked about during interviews, many Aboriginal women raised case management as a major issue for them. In particular, Aboriginal women were concerned that case plans were not well managed nor individually based. Further comments suggested that the case management system did not project plans that would sincerely assist them upon release. One woman said *“case management – what’s that? I have been here for three months and haven’t seen a case manager yet”*. Others felt the case management plan would be better managed by having *“an Aboriginal case manager and case management plan which runs alongside the correction’s case management system”*.

There are also health and welfare programs such as drug and alcohol services and programs and mental health services offered to women during their custodial sentence. Many of the women expressed much dissatisfaction with the existing health and welfare programs, suggesting they were culturally inappropriate and or that they often had trouble accessing specific services.

## **Health**

Aboriginal women in custody were surveyed about the screening and induction program, for example whether they had been given a health check up by Corrections Health when they first were remanded or sentenced to custody for their current offence. Approximately 86% of Aboriginal women said they were asked about their health and received a health check up upon arrival, 12% said they did not receive this service and 2% were not sure.

Aboriginal women in custody were asked about the health care services that they had accessed since being in custody. The figure below shows that 80% had used a general medical service, 56% had used a dental service, 30% had used a gynaecological service, 38% had used a psychiatric or psychological service and 12% had used other medical health services.



When the participants were surveyed about whether these services were Aboriginal health services or non-Aboriginal health services, 48% of Aboriginal said they used the Aboriginal medical services and 52% used non-Aboriginal health services. Many women suggested that their health care services, generally were often neglected, because the *“Koori doctor only comes once a week and the waiting lists are very long....so you miss out on the service all together”*. Other women claimed that the waiting lists were due to non-Aboriginal prisoners accessing the Aboriginal health services and that they were not priority, even in urgent situations.

One woman said of the dental services long waiting lists that:

*“I’m still waiting to see the dentist.....always getting pushed to the back of the line because others use emergencies as an excuse to hop the line”.*

One woman made a serious complaint:

*“at induction, the doctor refused to see me...treatment of me during my first stages of custody was worse than an animal. Medication and methadone were not made available to*

*me...I had to dry out and when I did need the assistance of health, when I was drying out in cells, I was totally ignored. Luckily I survived without medication or anything else that was going to help me through this process"*

This particular woman who is serving a 13 month non-parole sentence said that she still has not been provided with any health service at all.

Aboriginal women were surveyed about whether they had a pap smear and/ or breast examination in the last twelve months prior to coming into custody. Approximately 70% of Aboriginal women said they had a pap smear check up in the last twelve months whilst 68% said that they have had a breast examination in the last twelve months.

The majority of Aboriginal women in custody had received a health check prior to coming into custody for their current offence (65%). Approximately 38% of women had chosen to use Aboriginal health services such as Aboriginal Medical Services and 17% had used an Aboriginal Dental Services. At least 16% of Aboriginal women had used a private general practitioners, 4% were seen by a gynaecologist, 2% had used a local hospital, 2% by a specialist and 6% by other services, such as community health services.

At least 51% of Aboriginal women in custody said that they had never been hospitalised before. Of the 49% of Aboriginal women who had been in hospital, many revealed that they had been in custody (both current sentence and prior) at the time they were hospitalised.

In asking about special needs, at least 48% of the women surveyed articulated that they had specific health needs, which in some examples presented below had not been addressed. Specific health needs ranged from, diabetes, hep c, mental illness, intellectual disability, and asthma.

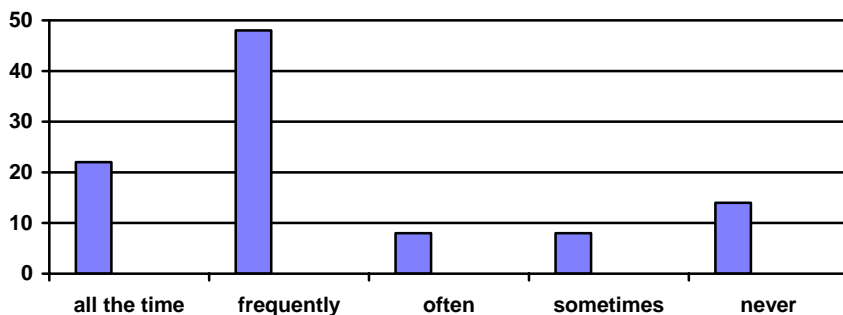
One Aboriginal woman who was a diabetic said that her health needs had not been sufficiently dealt with since she had been in custody:

*" I have had absolutely no treatment for my diabetes, and I need to have a thorough test and sugar level count...the medical staff is fucked. I'm surprised there's not more deaths in custody...the inmates look after one another, especially Koori women. They're more bonded and look for affection rather than material things."*

Significant proportions of Aboriginal women in custody are receiving one or multiple types of medication. In surveying Aboriginal women, at least 54% of participants stated that they were currently receiving medication, and just over one third (34%) of these women were first prescribed the medication whilst they were in custody (current and prior). An indication of the types of medication reveal that a large proportion of women were on the methadone program. Some women revealed they received medication such as ventalon and benzidine for asthma, and some received insulin for diabetes and a small proportion said they were on psychosomatic medication for mental illnesses.

Many Aboriginal women in custody expressed that having someone that they can talk to about their current issues as well as exploring and resolving problems is a particular issue for them. Often at the root of this is the ability to openly discuss their feelings with a trusted person in a confidential environment and the need to discuss their personal business with professional or "caring" Aboriginal women. In exploring this matter with Aboriginal women in custody, participants were asked how often they were able to tell people how they were really feeling. On a five point scale ranging from "all the time", "frequently", "often", "sometimes" and "never". The results are presented in the figure below.

**% of women surveyed able to disclose their feelings**



One woman who reported that she was “never” able to tell people how she was really feeling said :

*‘you can’t get in to see anybody, like psychologists and drug and alcohol workers, because of the processes within custody. You have to be seen by a drug and alcohol worker to be approved for programs, and you get rejected because you can’t get in to see them (workers)” and “psychologists only talk to you if you mention self harm then they place you under security” and “I need to talk, issues from my past just keep triggering me”.*

In regard to seeking assistance from the Corrections Health Service there was a great deal of frustration from participants. For example, one woman said “ the screws play games with you – like we owe them something by needing a service and they often say things like ‘we’ll attend to you when we’re ready’ which means they are neglecting our needs”.

Many women expressed the discomfort of not being able to talk with an Aboriginal professional worker and a lack of trust and

resources in the existing services. Participants felt that they could not reveal themselves to outsiders nor to other inmates, except where a relationship was long term or well established, however, constantly throughout the interviews, Aboriginal women stressed the need for an Aboriginal female worker who could provide support and counselling to inmates, especially in troubled times.

One woman said :

*“ I don't like talking because I feel people don't really want to know your problems, especially professional people who have their view of what kind of people live in 'this' world, so I just see them the same way. I do like to talk to people I can trust and that don't criticise everyone and everything. So I try to be careful about who I pick as my friends in here because its' a completely different story when you get outside and try to pick things up”*

## **Programs**

The Department of Correctives Services offers a number of programs for all women, and runs a specific cultural program (Mercy Camps) for Aboriginal women in custody. The Inmate Management Division that coordinates all inmates programs consists of alcohol and other drugs, psychological, chaplaincy, HIV and health promotion unit, correctives services industries, inmates classification and programs and community grants programs.

## **Education , Industry and Culture**

All inmates are required to work. This work includes undertaking courses or study. Inmates interviewed revealed a broad range of involvement in programs, such as the general functioning and operation of the gaol (for example kitchen hand, maintenance, landscaping and

horticulture), commercial based businesses and community based programs preparing women for release.

At least seven out of ten Aboriginal women who were interviewed at the time of this survey said that they were currently enrolled in education or industry programs (70%).

At least 22% of the women interviewed said they were enrolled in a "culture" based program, 18% said they were enrolled in a "literacy" program, 10% said they were enrolled in a "parenting" program, 8% were enrolled in a "living skills" program and 2% said they were enrolled in a vocational course. Approximately 10% of Aboriginal women were enrolled in other programs offered by the Department of Corrective Services.

Some women said that custody had given them an opportunity to learn basic numeracy and literacy skills, and in one case an Aboriginal woman had completed 17 different certificates whilst serving her sentence including, art, forklift and lifestyle programs.

However, when examining the satisfaction levels of Aboriginal women in general, Aboriginal women were not very satisfied with the types and quality of programs offered.

Many of the women stressed the need for Aboriginal run courses, and commented on how these programs prepared them well for release as well as coping with the day to day stress and sometimes boredom and loneliness of prison life. The Aboriginal Research Team asked Aboriginal women whether they had ever been involved in any specific "Aboriginal" programs. In general, only about half of the women had ever participated or been able to access the Aboriginal run programs (51%). This appeared to be a significant issue for the women (49%) who had not been involved in these courses, given that the women who had accessed in these programs discussed the success and need to have these programs. Some women suggested that at the core of access, was favouritism of officers, racism and in some cases an admission of not being able to meet the requirements (for example the

Mercy Camps are not accessible to women who are on the methadone program).

During one interview, an Aboriginal woman revealed that:

*"there are problems with the education officers and they make it hard for us to get into courses.....(they have) bad attitudes and (tell) lies. For example, we get told there are 'no vacancies' in a course, and then a week later we find out that a non-Koori is starting on the program. Koori's are disadvantaged because of individual people's racism and attitudes. We need Koori specific run programs run and attended by Koori's only"*

In general, there appeared to be a serious lack of variety and culture based programs at the June Baker (Grafton) facility, and most of the women interviewed emphasised a need for a review of Aboriginal programs as well as education and or support officers, and particularly that services at June Baker were required. This was called for because the women at June Baker did not access these types of programs and are not picking up skills that other women did while they were in custody.

## Mothers and Children

The Emu Plains Correctional facility offers a full time residence, occasional care, and visitation program for mothers and their children. The Program is available to mothers with children under the school age (that is approximately 5 years). Of all the women interviewed at Emu Plains, as well as those who had prior sentences at Emu Plains (and were now at Mulawa). Only 2% had ever used the Mothers and Children program, for occasional care. Many Aboriginal women had said they had “never heard of the program before”, or “had no information about the program, but would probably use the program” or “they could not access because they could meet the required stages”, or “did apply, but nothing came through, I’m still waiting” or “currently trying to access the program.

Others noted that they did not want to use the existing program because it was either not suitable (for example their children were older), or they did not want certain restriction placed on their children. One woman said *“my children are in stable environments and I didn't want the youngest growing up to have the everyday restrictions – my other child is too old”*.

It is a significant gap in the system given that the majority of Aboriginal women are usually the sole carers of their child(ren). Overall, there is a need to review and/or expand this program to other centres (such as June Baker), so that it caters appropriately to the needs of Aboriginal mothers and children who are separated as a result of imprisonment. Aboriginal mothers and women in custody did have some solutions about support for Aboriginal mothers including:

- *“should have more visits from family, makes it easier to do a sentence.....or access to phone calls, (cause) the money used for phone calls needs to be used for buy ups”*

- *“Transport support for visits.....or provide a carer to bring children if a family member cannot...and financial support to travel”*
- *“Accommodation for visiting families”*
- *“longer visits”*
- *“the opportunity to bond.....bonding with their children...being bonded with their mothers”*
- *“it would be good at Christmas times and school holidays if services could be set up for the children in the community or maybe visits with the whole family”.*

In an interview, one woman said:

*“I think there should be a program for Koori mothers to have their children more accessible to them, because a lot of Koori inmates have kids and while they are in gaol they worry that their kids will go to DOCS and never be able to get them back or it will take time and a lot of effort to get the kids back when they are released from custody”.*

In general, there was a need for Aboriginal women to have a close contact and bond with their children, especially in situations where a child was younger.

Many women noted that when they did see their children, they often felt stripped of the humanity and cultural responsibility as a mother, and that often access to plain or familiar clothes would make a difference to their children.

One woman said: *“wearing the white overalls while visitors are here makes us feel uncomfortable because the children ask why we wear them and the overalls makes us look ridiculous. We have visits and we are strip searched before and after the visits”.*

Many women requested or recommended plain clothed visits for mothers who have their children visiting.

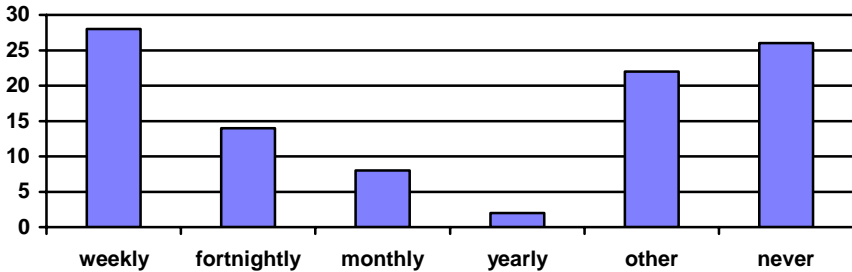
Quite clearly, Aboriginal women have a unique cultural relationship with their children, which since the inception of colonisation and assimilation policies, has been characterised by separating this relationship, in addition to periods of ongoing and inter-generation detention. As a substantial proportion of the participants stressed the need to maintain a very close relationship with their children, but do not either opt to use the mothers and children's programs or cannot access it for a range of reasons, such as eligibility and regulations, alternatives need to be raised. These alternatives should be culturally specific and something that the Aboriginal inmates would like their children to participate in.

## Visits

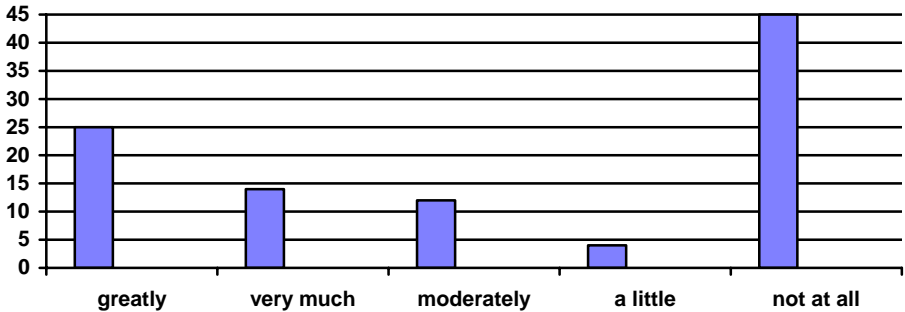
Access and participation with the visitation programs are often the only type of physical contact where Aboriginal women in custody can speak to family members, significant others, see their children and feel a part of their community outside of the gaol. It is a reminder that people care for them, that they have a role and responsibility outside of custody, and generally *"gives hope for the future"*. Many Aboriginal women expressed that visits *"made the time less 'hard'"*. One woman said *"visits from family mean everything. It is the only thing that keeps us sane. If we don't get visits then we rely on phone calls and mail which the authority will use against us if we don't follow their rules"*.

Whilst most Aboriginal women expressed how important visits from family and significant others are, approximately one quarter (26%) of Aboriginal women in custody had never received a visit from either a family member, friend or significant other since being in custody. The Aboriginal Research Team asked participants how often they had received a visit, ranging from, weekly (28%), fortnightly (14%), monthly (8%), yearly (2%), other(22%), and never(26%). The Table below presents these figures:

### Frequency of visits



In general, Aboriginal women were not at all satisfied with the visits. On a five point scale ranging from “greatly” to “not at all”, Aboriginal women were asked to rate their satisfaction with visiting times. The results are presented in the **Satisfaction with visits**



Overall, Aboriginal women in custody required longer visits with family members and significant others, more appropriate visiting space, and alternative days for visits to occur. Aboriginal women suggested that access to visits would improve for Aboriginal women in general if there was additional accommodation and travel support in particular for

families who come from remote areas. One woman had not received a visit because the public transport system does not travel from the remote area on the weekends, so expanding the visiting times made common sense, as well as the need to have financial support for accommodation, especially for families in regional and remote areas of NSW.

## Post Release

Transition back in the community has often been described as one of the most difficult and testing time for inmates. It is at these times in particular that the appropriate support and services are available.

Aboriginal women in custody were asked about their personal meaning of release and they explained that release to them means:

- *"Nothing because I will be going out to nothing and I will probably end up back in here.....you need something to take you away from this environment"*
- *"Release means that I'm getting my life back and being with my kids...I'm going to try to get back to 'normal'"*
- *"Starting a new life and getting out to be with my children and parents....I'll be going up to my parents in [information withheld] which means everything to me. If I didn't have them I'd have nothing to get out to....I don't want to do the wrong thing"*
- *"Being with my family and starting again to rebuild my life"*

One Aboriginal woman who was first convicted at the age of twelve years old and who stated that she won't have the support of either family nor community expressed that for her:

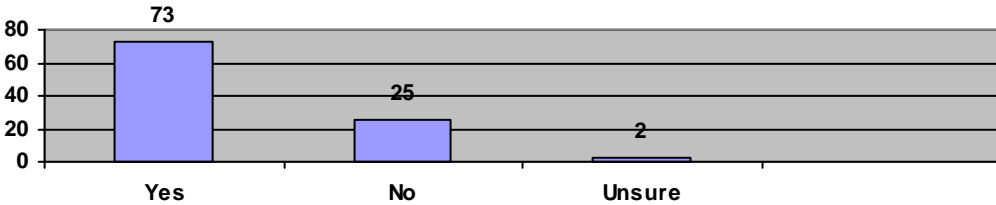
*"Release means trying to hopefully be able to stay out of gaol and to get back some of the time I've lost with my loved ones and get our connection back....and I've got a few goals I need to achieve personally for myself before I can settle down and focus on the future. Firstly, I will spend time with my children and have a day out...I will be going to see my (step) father and try to resolve things with him. I will be going up the north coast and travel around a bit because I can have some sort of freedom away from the city as well as try and get some perspective back...I sometimes get overwhelmed by all the responsibilities when you get out and then see the reality of the things you need to do for everyone around you"*

The concept of responsibility is something that does not seem to leave Aboriginal women whilst they are in custody. They are worrying for their family members (sometimes who they usually provide care for) and children, as well as being homesick for their community. These responsibilities of caring are increased upon release often for women, who return to communities in some cases where basic needs, such as health, are not available. This relates to the broader problems faced in Aboriginal communities, which often lack basic infrastructure to support people who are released from custody. In communities, for example, where alcohol or family violence are issues of concern, and there are inadequate services to provide support, many Aboriginal women either find themselves linking in with old habits or not being able to move progressively on. It relates to finding solutions to problems for the entire community, as well as the person who has offended.

Aboriginal women were asked a series of questions about pre and post release issues. Generally, Aboriginal women in custody believe that they will have the support of their family and or community when they are released. Approximately seven out of ten or 73% of participants

said they would have this support when they are released, however significantly one quarter 25% said they would not and 2% were not sure if family and or community would support them when they were released. These figures are presented in the table below:

**Percentage of Aboriginal women who will have family/community support when released**



In exploring exactly what this would mean to inmates, Aboriginal women said that:

- *"My mother will be there for my family and I'm grateful that the Aboriginal community will be there for me"*
- *"Help from staying away from drugs and other influences"*
- *"Knowing you have 100% support from family – you can do anything you put your mind to"*
- *"It means a lot to me....I don't think I would stay clean if I don't have the support of my family. A lot of people that get released don't have family and community support"*
- *"means that I'm going to stay out"*
- *"friends and family will give the courage and incentive to do the right thing"*

One woman who will not have this type of support revealed that :

*"I don't have to live up to expectations, sometimes in control and sometimes out of control depending on my stress levels" and another woman said "it means to me that some human beings are so selfish and cruel to their own kind" and "I feel a little sad about not having any family or community support because it would be good to rely on some support". Another woman who was not sure if she would be supported said "if my family accepts me, then I'll feel cared for and that I'm accepted back home".*

This kind of fear of isolation outside of custody is exacerbated in one woman's explanation. Prior to custody she was living on the streets:

*"To be released for me personally means freedom and I want help to stop me from stealing and assaulting people. The community out there isn't doing anything for me. I have no plans where I will be going or what I'll be doing when I'm released. I've got nowhere to live when I get out. I don't even know where my family is....I'm on my own. I've got to get on the best way that I can....I might go out there and do something stupid and come back in.....I need help to find my children".*

This response suggests the typical need for support from family, community and service provision in rebuilding this young woman's life up to something she could again feel worthy of. At the moment, she has identified her want to change her offending behaviour, but specifically that she may need "help" to do that, because she feels isolated. This is a re-occurring feeling for young Aboriginal women, who are faced with not knowing their family, community or culture. However, this woman desperately wants to improve her situation, even

though she feels she has nothing outside – her bond and contact with her children can give her hope.

There was a mixed reaction to what plans Aboriginal women had when they were getting out. Certainly, some Aboriginal women said that they were looking forward to seeing their children, but in terms of housing and employment, no woman said she was going into paid employment and some noted that they were going to be seeking a house from the Department of Housing. Some women had ideas, others were “hitting the road” not really sure what they would be doing.

It appears that links with family and children, general post release support, planning and housing impact on Aboriginal women’s perception and planning of their lifestyle when they are released. One woman, who was being released to parole and had a pre and post release plan already, summed it up as follows:

*“I still have a big worry about lots of issues, housing, education, counselling, parole, drug and alcohol meeting, avoiding the wrong people, hoping centrelink papers are right, having someone from a service pick me up, seeing my children, transport is such a big problem”*

Approximately, two thirds of the Aboriginal women interviewed (66%) said that they were being released to parole, 20% said they were not being released to parole and 14% were not sure. Women were asked whether they had any assistance from a parole officer with preparing a pre and post release plan and 91% indicated that they had had this type of support. There was mixed reactions about the Probation and Parole Service Officer and the type of support offered. However, there was a general call for an increase in the number of Aboriginal probation and parole officers who have some knowledge of their situation.

Only two out of ten Aboriginal women had used Aboriginal post release services available to them in the past, meaning that 78% of women were not or have not used these services before. Of those women who

had used them, there was an overwhelming level of satisfaction with them (50% greatly)

In closer examining the need for Aboriginal post release support, at least 82% of women surveyed felt that cultural, spiritual and identity programs and services are the most suitable type of support for Aboriginal women leaving custody. One woman explained that she would *"try to live with my son in a drug free lifestyle...I have no plans what I will do upon release except live drug free"*. She said that she would have no family support that would make release a lot harder to succeed especially because of the serious lack of "support from family and services".

Again, the Aboriginal women in custody were best placed to know what type of services they would need upon release including:

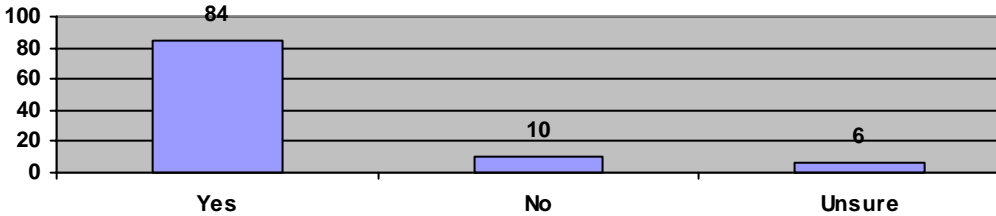
- *"girls doing sentences under twelve months should have access to a half day integration plan back into the community before being released"*
- *"should be a halfway house that picks up on our needs for inmates being released...Koori based"*
- *"should have stress management in here...so it helps when we get out. A lot of us go back to drugs because we can't handle the pressure"*

Many women (80%) suggested that drug and alcohol programs would be suitable for Aboriginal women leaving custody, 68% felt that parenting programs would support them and 60% said relationship programs would assist them in leaving custody and returning to the community.

Most Aboriginal women would like to be employed after they are released from custody. Approximately 84% of Aboriginal women said they would be interested in working when they are

released, 6% were not sure and only 10% said they would not like to work.

### Percentage of Aboriginal who would like to work in paid employment when released



Many Aboriginal women commented on the need for additional rehabilitation and housing options for women who are released from custody, which are run by Aboriginal people. Women explained that unless these types of support services are established, women simply fall into the drug scene within a matter of time. For example:

*"I feel that a lot of Koori women just go around in the same circles and never have the support CLOSE to where they live. Some of the times they just don't get the information and support and just go back and get lazy".*

It is critical that Aboriginal women do not feel that prisons are the only place where they can reclaim their fight against drugs, quite clearly from their words, the experience of prison has in many ways disempowered them. The women clearly believe they have not been dealt a fair hand, and often are looking to break the cycle of crime in their life and heal the wounds they may have inflicted on others, as well as the wounds inflicted on them by others.

## Conclusion

The number of Aboriginal women in prison is extremely high, with Aboriginal women constituting approximately 31% of all female prisoners. Even more concerning than the current over representation is that this rate is increasing. The proportion of Aboriginal women in prison has increase 14% since 1995.

This report involved surveying 48% of Aboriginal women who were in prison during the week that the research team visited the correctional centres. It provides the most comprehensive examination of the needs of Aboriginal women in prison undertaken in NSW. There are a number of significant findings and outcomes from this research project that will require further action and development. This report highlights a number of significant issues for Aboriginal women in prison, not least of which the connections between violence and sexual assault and drug use.

The profile of Aboriginal women in prison is that they are predominantly young; with 68% between 18 and 30 years and 36% between 18 and 24. The majority are single, 54% and have children 86%.

Outside of prison Aboriginal women perform significant roles in their communities and families as carers. Most of the women had children with approximately one third of the women having between 2 and 4 children and almost half of them were single mothers. Almost one third of the women in prison (29%) cared for children other than their own biological children. Also almost one third (29%) said they were normally responsible for the care of other people principally their mothers, fathers and other family members.

It is clear that at least one third of the Aboriginal women in prison are directly and primarily responsible for the care of at

least 2 other people when they are not in prison, at least one in ten of those women are responsible for the care of at least 5 other people.

These women play a vital and significant role in their own family and community life, while imprisonment provides a punishment for these offenders, it is clear that it is also placing significant hardship on the Aboriginal families and communities that these women come from. The people normally cared for by the women that were surveyed are either without care during their imprisonment or the responsibility falls onto other members of the extended family or community. Fundamentally the imprisonment of Aboriginal women has a significant impact on broader Aboriginal community causing further strain on limited resources and providing further stresses for Aboriginal families. Potentially the removal of a primary carer can place children and others in situations of greater risk and likelihood of offending without the support of a primary carer.

Aboriginal women in prison are characterised by low levels of school education with at least one in ten going no further than primary school and 70% leaving school before completing year 10. Significantly most women had attempted some type of post school education with at least half of those attempting educational courses, completing them.

While a formal school based education may be lacking in many of the Aboriginal women in prison, it is clear that they are interested and active in furthering their education in some way. The survey results indicate 2 things. Firstly it supports research that indicates that a lack of formal school education increases the likelihood of an involvement in the criminal justice system<sup>13</sup>. The provision of appropriate and effective educational options for Aboriginal people may reduce their likelihood of becoming involved in the justice system.

---

<sup>13</sup> Hunter, Factors Underlying Indigenous Arrest Rates, NSW Bureau of Crime Statistics & Research 2002

Secondly the survey results show clear potential for Aboriginal women to engage in formal education within the prison system and an avenue to attempt to remove people from the cycle of offending and prison that they appear to be in.

The responses to questions about employment and income underpin the previous responses to education that is without education the prospects for employment are limited. The overwhelming majority of the Aboriginal women surveyed stated that they were unemployed at the time of their last offence. Those who were employed were in low wage menial employment such as bar work, waitressing or rural seasonal labour. Of further concern is the number who appears not to have been in receipt of a formal income of any kind. Almost half, 42%, stated that they did not receive a formal income including any social or welfare payments. This indicates a significant level of poverty among the women surveyed and that a large number are falling through cracks in the current welfare system.

Also of significant concern was the one quarter of women who stated that their income came solely through the proceeds of crime. It is evident that these women are becoming increasingly entrenched in a cycle of drug dependency, crime and imprisonment. As stated there is a strong link between poor educational attainment and limited employment opportunities. If efforts are to be made to break offending cycles then clearly there is a need for employment and vocational programs targeted specifically for Aboriginal women in prison, or more broadly for Aboriginal women in general. As such a significant number of women stated that they have no regular income or only receive regular income through crime, if the number of Aboriginal women in prison is to be reduced then options must be developed which provide for a regular paid income for Aboriginal women that can substitute for income earned through crime.

The survey results show that more than a quarter of the women stated that they had significant numbers of prior convictions and the bulk of Aboriginal women have been in prison before. Most of the women had lengthy histories of ongoing contact with the criminal justice system from a very early age.

The most significant findings of this study are the level of serious drug addiction among women in prison and the causal role that addiction has played in their current imprisonment. Fundamentally significant is the levels of abuse that has been suffered by the women and the clear link those women have drawn between that abuse and their drug use, their drug use and their current imprisonment.

It is clear that if there is to be intervention to reduce Aboriginal women in prison, that intervention must tackle drug, and in particular heroin addiction and that it must address the sexual and physical abuse experienced by those women. It is clear from this study that unless the abuse experienced by Aboriginal women is effectively addressed they will continue with their drug use and continue to offend.

In the longer term unless strategies are developed to address the abuse suffered by young Aboriginal girls the potential for future generations to continue to experience high levels of offending and imprisonment is great. There is strong potential for services to be offered to Aboriginal female juvenile offenders to assist them to deal with the effects of physical and sexual assault. As this study has clearly identified sexual and physical violence as being a key factor underlying the drug use and thereby the offending of many Aboriginal women it must be addressed early to halt the potential cycle of drug use and offending that has characterised the lives of many of the Aboriginal who participated in this study.

While a number of initiatives have been recently developed to assist in reducing the number of drug related offenders coming into prison, such as the Drug Court, and the Magistrate Early

Referral Into Treatment Program, there is a need for these programs to be adapted to deal with the underlying causes of drug use and specifically to offer particular services for drug users who may be victims of physical or sexual assault. There also needs to be an increase in the availability of Aboriginal specific sexual assault counselling and treatment services for Aboriginal women and specifically to Aboriginal women in prison.

Further the study highlights the lack of specific Aboriginal drug treatment programs available to women outside of prison. A number of the women stated that they wanted to enter treatment before committing their last offence but were unable to do so for a range of reasons. Most of the women found it difficult to access any drug programs prior to prison and none accessed any Aboriginal specific programs. The majority of Aboriginal women who participated in this study strongly stated that they want to be free of drugs but that they also require help to achieve this, help which many of them are currently unable to find outside of prison.

The women who participated in this study clearly stated that they would be responsive to community based justice mechanisms. Many said that their own elders should be involved in their sentencing, and that having their own people involved would make sentences have a greater impact on them and be more relevant to their circumstances. A number of options are currently being trialed in various locations around Australia, such as circle sentencing, Aboriginal courts, Community Justice Groups that provide for direct community involvement in court processes, specifically in sentencing. Most of these initiatives are reporting at least initial success. While many of these options focus on different types of offences and offenders there is an option to provide a package of community based justice initiatives that might combine a range of the current programs and give courts a number of ways to involve local Aboriginal people in sentencing and justice administration generally.

The speak out speak strong project provides to first comprehensive examination of the background and current needs of Aboriginal women in prison. We know that many of the women in prison have long and extensive contacts with the criminal justice system, poor educational backgrounds and many have serious experience of being victims of violence and sexual assault, that has cause many to become involved in heavy drug use. All these factors have led to much of their offending.

If the over representation of Aboriginal women in prison is to be reduced then these fundamental underlying causes of their offending must be dealt with. More broadly strategies developed to stop this occurring to future generations of Aboriginal women. The women themselves largely stated that they wanted help both with their abuse and with their drug addictions, most have clearly demonstrated a willingness to further their education and become involved in employment when released, but currently do not see clear options for themselves. Indeed many are unsure of what waits for them outside the prison walls.

Most of the women in prison are mothers, and most provide care for other family members making the possible impact on the broader Aboriginal community of the imprisonment of these women great. There is clear potential to create further disadvantage to their families and particularly their children as a result of their imprisonment. The sheer number of Aboriginal women in prison in NSW and the rate at which that number is increasing makes this is an urgent issue requiring serious and immediate attention.

## **Appendix 1 Art and Writing Competitions**

In recognition for the honesty and time that Aboriginal women who participated in the survey generated, the Aboriginal Justice Advisory Council felt that this should be acknowledged. The idea for an art and writing competition in conjunction with a Barbecue at the Emu Plains and Mulawa Correctional Facilities was firstly discussed with the Koori Delegates at each of the centres, who greeted the idea with great enthusiasm.

The first competition was held at Emu Plains Correctional Facility. A number of inmates entered both categories for the art, which included painting, drawing, weaving, and sculpture and writing including story, poetry and song. The BBQ heralded the selection of winners who were chosen by the Aboriginal Elders, who regularly visit the inmates in a voluntary capacity. The day was attended by Aboriginal inmates, Emu Plains staff, Vivien Scott, Maxine Conaty (ATSIC), representatives from the Women's Legal Resource Centre, and the Aboriginal Justice Advisory Council.

The second art and writing competition was held in partnership with the Warringa Baiya Aboriginal Women's Legal Centre. A number of inmates entered both categories for the art, which included painting, drawing, weaving, and sculpture and writing including story, poetry and song. The BBQ heralded the selection of winners who were chosen by the Aboriginal Elders, who regularly visit the inmates in a voluntary capacity. The day was attended by Aboriginal inmates, Warringa Baiya staff and Management Committee Members (Millie Ingram and Pam Jackson), Vivien Scott, Women's Legal Resource Centre and the Aboriginal Justice Advisory Council.

## **Appendix 2 Letter to the Sisters,**

*That gave your Hearts and Souls for "Speak Out Speak Strong". Without you it wouldn't have been "Speak Out" – you are "Speak Strong".*

*Through your beauty and strengths shining through in the outcomes and recommendations. These will be heard and enforced for years to come. To bring about positive change, healing, understanding and a better system.*

*Sisters, at times you may feel weak, but how you spoke of your lives, I see some of the strongest women I have ever met. Just to survive the system you are in and yet to survive your own life traumas. This I hold in the highest respect. You will bring about future changes for young women in similar circumstances, our nieces, grandmothers, mothers, other sisters – thank you so much for your time.*

*All the ladies involved in the interviews from the Aboriginal Justice Advisory Council, I am sure will carry each one of your stories in our hearts and souls. We also in our day to day lives will fight for the understanding and support of the "sisters inside" in whichever way we can.*

*Our deepest respect always,*

*Theresa*

*PS. Keep your heads high! Speak Out Stay Strong! Support Each Other.*

**peak Out Speak Strong**, *Researching the Needs of Aboriginal Women in Custody*

Recommended Actions arising from the findings of the Report.

1. Alternatives to Prison	
Objective	Recommended Action
To establish an alternative facility for Aboriginal women that can provide services specifically aimed at and designed for Aboriginal people and can address their underlying causes of offending	That Corrective Services in collaboration with the NSW Aboriginal Justice Advisory Council explore the feasibility of establishing an Aboriginal Women’s Healing Place, for Aboriginal women serving both minimum and maximum terms, with a site for Aboriginal women on remand. This would consider programs, visits, welfare services, post release, case management, counselling and health services for Aboriginal women serving prison terms. Possibly based on the Yetta Dhinnackal concept.

2. Programs in prisons	
Objective	Recommended Action
To provide support for the children of imprisoned mothers and maintain that strong kinship bonds of Aboriginal families while a mother is imprisoned	That Corrections Health, Corrective Services and the NSW Aboriginal Justice Advisory Council establish alternatives to the Mothers and Children Program, that caters specifically for Aboriginal mothers in prison and incorporates the extended Aboriginal family.
To provide emotional and cultural support to Aboriginal women while they are serving prison sentences	That the Department of Corrective Services and the Aboriginal Justice Advisory Council establish a community based support program for Aboriginal women in prison, that can provide regular support to women in

	prison and provide linkages between women in prison and their families similar to the former Aboriginal Women in Custody Support Group.
To ensure that Aboriginal women have access to effective and adequate counselling services, and that those services aim to redress the underlying causes of offending in Aboriginal women inmates	That Corrective Services establish Aboriginal (female identified) counselling positions, specifically sexual assault counselling positions for women in Grafton, Broken Hill, Mulawa and Emu Plains.

<b>3. At Court</b>	
<b>Objectives</b>	<b>Recommended Action</b>
To ensure that current court based drug programs target areas with high levels of female Aboriginal drug users. To ensure that court based drug programs target the underlying reasons for drug use.	That the Attorney General expand the existing Drug Court zones to include western NSW and inner city (Sydney). That the Attorney General establish social work/ sexual assault counselling programs for women attending the drug court and MERIT programs.
To ensure that current court based drug programs target areas with high levels of female Aboriginal drug users. To ensure	That the Attorney General expand the existing Drug Court zones to include western NSW and inner city (Sydney). That the Attorney General establish social work/ sexual assault counselling programs for women attending the drug court and MERIT

that court based drug programs target the underlying reasons for drug use.	programs.
To provide a range of community based sentencing options to reduce the number of Aboriginal women in prison and ensure that kinship and family connections in Aboriginal communities can be maintained.	That the NSW Police Service and Attorney General's Department in collaboration with the Department for Women and the NSW Aboriginal Justice Advisory Council identify strategies to support Aboriginal women serving sentences in the community, as alternatives to prison, that these strategies specifically cater for the family, and other needs of Aboriginal women.

<b>4. Pre and Post Release</b>	
<b>Objective</b>	<b>Recommended Action</b>
To provide housing for Aboriginal women released from custody	That the Aboriginal Housing Office, Corrective Services and the NSW Aboriginal Justice Advisory Council explore funding options to provide housing support to Aboriginal women immediately upon their release from custody.
To ensure that Aboriginal women are prepared for life after prison.	That the Department of Corrective Services establish a pre release program for Aboriginal women that is available to all Aboriginal women serving sentences in NSW Prisons.
To ensure that Aboriginal women who are on parole have culturally specific support to reduce the likelihood	That Corrective Services expand the Probation and Parole service to include regional and metropolitan Aboriginal identified workers specifically for Aboriginal women.

of them returning to prison.	
to ensure that Aboriginal women have adequate time and support in preparing to leave prison	That the Department of Corrective Service establish a transitional centre for Aboriginal women being released from prison similar to that currently operating at Parramatta.
That Aboriginal women are [provided with post release support within the Aboriginal community.	That the Department of Corrective Services in conjunction with the Aboriginal Justice Advisory Council support the expansion of Aboriginal community based post release support programs designed for Aboriginal women, such as that coordinated by the Yulla Wirri Nurai Aboriginal Women's Post Release organisation.

<b>5. Health</b>	
<b>Objective</b>	<b>Recommended Action</b>
to ensure that medical, dental and psychological problems experienced by Aboriginal women in prison are adequately treated.	That Corrections Health, NSW Health Department establish and review standards to assess the proper provision of health services for Aboriginal women in prison, with a strong focus on providing adequate access to immediate medical and dental services and adequate resourcing for appropriate psychological services for female inmates.
To reduce the number of Aboriginal women addicted to illicit drugs, reduce the amount of drug related offending by Aboriginal women.	That the Department of Health in conjunction with the NSW Aboriginal Justice Advisory Council establish an Aboriginal women's healing and drug and alcohol detoxification strategy. That strategy should aim specifically to provide drug programs and programs that address the underlying causes of drug use in

	Aboriginal women. That the strategy aim to provide such services to Aboriginal women prior to them coming into contact with the criminal justice system.
--	--

<b>6. Juveniles</b>	
<b>Objectives</b>	<b>Recommended Action</b>
To address trauma and other problems associate with sexual assault for Aboriginal female juveniles and to reduce the number of those juveniles entering adult prison	That the Department of Juvenile Justice establish Aboriginal identified counsellors that can work with victims of child abuse, especially child sexual assault.
To determine the specific needs of Aboriginal female juveniles in custody.	That the Department of Juvenile Justice, and the NSW Aboriginal Justice Advisory Council conduct a similar study to “Speak Out Speak Strong” examining the needs of female Aboriginal juveniles in detention.

<b>7. Crime Prevention</b>	
<b>Objectives</b>	<b>Recommended Action</b>
to reduce the likelihood of Aboriginal women coming into contact with the criminal justice system by providing adequate employment opportunities.	That the Department of Education and Training develop a specific Aboriginal women’s employment program that aims to expand employment options for Aboriginal women and to create employment options for Aboriginal women in rural areas and for women being released from prison.
To reduce the number of Aboriginal women coming into contact	That the NSW Aboriginal Justice Advisory Council and Aboriginal Education Consultative Group establish a partnership to

<p>with the criminal justice system by establishing educational options for those Aboriginal girls who have left or been removed from school</p>	<p>explore alternative education options for Aboriginal women. Both school age educational options and vocational training and education for adults.</p>
<p>To reduce offending by providing local community management of criminal justice problems and community based sanctions and sentencing options for female Aboriginal offenders.</p>	<p>That the NSW government fund the expansion of Aboriginal community justice groups.</p>
<p>To reduce the incidence of sexual assault in Aboriginal communities, and to provide adequate services for those people who experience sexual assault.</p>	<p>That the NSW government develop and fund an overarching state wide strategy to combat child sexual assault in Aboriginal communities, that incorporates education, support and counselling, possible alternative processes for prosecution, community healing and localised service provision.</p>
<p>To reduce the incidence of Sexual assault among aboriginal people, particularly Aboriginal children and to respond effectively to</p>	<p>That the Attorney General establish a high level Aboriginal taskforce on Sexual Assault. The objective of the taskforce would be to examine the prevalence of sexual assault in Aboriginal communities and to develop a comprehensive range of options to reduce the incidence of sexual assault, and to deal</p>

Aboriginal victims of sexual assault	more effectively with it when it does occur, both from a justice and human service perspective.
--------------------------------------	---