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Community Coalition on Corrections

6 May 2008

Mr Simon Corbell, MLA
Attorney-General
ACT Legislative Assembly
GPO Box 1020
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Dear Minister,

I write out of concern that the Community Reference Group of the Alexander Maconochie Centre contains no consumer representation.

The absence of a consumer voice is an obvious gap in what is otherwise an admirable selection of community groups and interests that you have selected. In this context we must put on record our thanks for invitations you extended to the Corrections Coalition and a number of its member organisations.

For a number of cogent reasons the Coalition believes that it is essential that the Reference Group should have direct representation of ex-prisoners and the families of prisoners. These people are members of the community which form a sizeable community group. Their absence deprives the Reference Group of an authentic consumer voice of the lived experience of prisoners and their families and is inconsistent with core objectives of rehabilitation and support for families of prisoners.

Prisoners past and present and their families are members of the community

The exclusion from the Panel of direct representation of ex-prisoners and the families of prisoners past and present flies in the face of the fact that all these people are members of the ACT community. This is patently the case for families of prisoners including their children – the “forgotten victims of crime” in the words of the 2004 Assembly committee report. The Government has been at pains to emphasise that people are sent to prison as punishment and not for punishment and that, consistent with the human rights framework of the ACT, they retain all their human rights beyond the deprivation of liberty that imprisonment necessarily entails. The ACT Government recognised this in, for example, its principled opposition to the move by the previous Commonwealth Government to deprive a high proportion of prisoners of the right to vote. The Chief Minister stated then that:

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“A jail sentence should not be taken to imply a suspension of every single human right or civil liberty attaching to an individual.” He saw in the Commonwealth’s action “no convincing rationale . . . beyond a thirst for vengeance and a determination to further humiliate and marginalise those who had broken society’s rules.”

Prisoners and their families are a sizeable community group

The issue of the exclusion is a substantial issue in size as well as principle. It is generally accepted that between 60% and 85% of prisoners are parents. Many of these are supporting parents. According to a 2005 study ‘providing’ parents of children under 16 years prior to incarceration represented 62% of non-indigenous and 59% of indigenous men who reported having children and 69% of all such women. In each class room of 20 children it is estimated that there will be one child who is or has experienced parental incarceration. Five out of 20 indigenous children will have done so.

An authentic consumer voice of the lived experience of prisoners and their families

When decisions are taken about other people’s lives, the voice of those people should be heard. The principle that consumers, those most closely affected by treatments or other interventions, should have a direct voice is now widely accepted as essential both to maximise beneficial outcomes and to respect the dignity and human worth of those involved. It is thus basic that heed be taken of the voice of those with the lived experience of prisoners and their families. Justice Action and the Women and Prison Group are members of the Coalition and provide this input into its deliberations. The Coalition finds that the knowledge and insight of these members is invaluable. To exclude such input into the Community Reference is to perpetuate an eighteenth century mindset.

Exclusion inconsistent with core objectives of rehabilitation and support for families of prisoners

The ACT is bound by international obligations to promote “reformation and social rehabilitation” as “the essential aim” of the prison. To its credit, the Government has respected this in the emphasis that it has placed on rehabilitation and programmes such as through care. According to its draft terms of reference, the Community Reference Group is “to provide advice, practical input and support in relation to prisoner programs, rehabilitation, and the re-integration of prisoners back into the community, and in relation to partners and families of prisoners.” To the Coalition, it is unthinkable that the Reference Group should be called on to provide that advice without the input of prisoners and their families. Prisoners and their families overwhelmingly come from socially excluded groups. Not to include them on the Reference Group is to perpetuate and accentuate this social exclusion. If the ACT is looking for different and positive outcomes from its prison it must be prepared to do things differently.

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In the Coalition's opinion a voice for prisoners and their families on the Reference Group can be provided by inviting representation of the Women and Prison Group and Justice Action. The latter has for years attended to the interests of ACT prisoners in the NSW system and, in the absence of a specific ACT group, will continue to do so.

The Coalition requests that you give further consideration to the inclusion of a consumer voice on the Community Reference Group by the appointment of representation from Justice Action and the Women and Prison Group. The Coalition has not written earlier on this matter because it had understood that you were intending to make such an appointment. It is most important that you do.

Your sincerely,

(Kiki Korpinen)

Chair

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