

## Risks for Aboriginal Women in Prison

In 2003, the Aboriginal Justice Advisory council released a report called “Speak Out, Speak Strong”, which documented the experiences of Aboriginal women in prison, and spoke of the discrimination they face on a daily basis.

### *Inappropriate Health and Rehabilitation*

Given the documented connections between drug use and criminal behaviour, it is important that drug and alcohol rehabilitation services in prison are effective. Aboriginal women in prison have expressed dissatisfaction with programs within NSW prisons, suggesting that they are culturally inappropriate, and often difficult to access. Similar concerns apply to the limited Aboriginal specific health services in prison. In a recent study by AJAC, a prisoner complained that “Koori doctor only comes once a week and the waiting lists are very long...so you miss out on the service all together”

### *Separation from Family*

Many Aboriginal women in custody in NSW are mothers. A period of imprisonment generally means separation from children – which means the child loses his or her principal carer. Parents are forced to leave their children with their partners, parents or the Department of Community Service (DOCS). If the children are put into DOCS care, parents may have trouble regaining custody. Separation from children is a serious issue for all people in the prison system, but particularly for Indigenous women, given the legacy of forced removal of children by the state.

## I *Isolation*

The population distribution of Aboriginal people needs to be taken into account when discussing the effects of imprisonment on Aboriginal women in NSW. If they are imprisoned in gaols that are distant from their communities, visits from friends and family may not be possible, adding to the isolation that is part of the gaol experience.

### What can be done?

The NSW government recently announced that crime rates in NSW had fallen to their lowest in more than 20 years. However, our prison population continues to grow. Indigenous women are disproportionately affected by the increase in prison population, and thus should be made a priority in both intervention to address disadvantage and in exploration of alternatives to prison. Many existing programs, including the Drug Court, and Periodic and Home Detention could work well for Aboriginal women, if they were available in areas where the vast majority of these women live. Attention also needs to be given to tailoring such programs to meet the specific cultural and practical needs of Aboriginal women.

The experiences of Aboriginal women in NSW prisons were recently the subject of a comprehensive study: “Speak Out, Speak Strong” was published by the Aboriginal Justice Advisory Council, and can be accessed on their website:  
<http://www.lawlink.nsw.gov.au/ajac>

## ABORIGINAL WOMEN AND PRISONS



**Social Justice Committee**

**Conference of Leaders of Religious  
Institutes NSW**

**[www.clrinsw.org](http://www.clrinsw.org)**

When compared with non-Aboriginal Australians, and with international conditions it is clear that Aboriginal people face shameful levels of disadvantage. Indigenous people are more likely to be unemployed and have lower incomes, and less likely than non-Aboriginal people to finish school or own a house. Life expectancy, infant mortality and drug and alcohol abuse rates point to a crisis in Indigenous health. This disadvantage is entrenched by the criminal justice system.

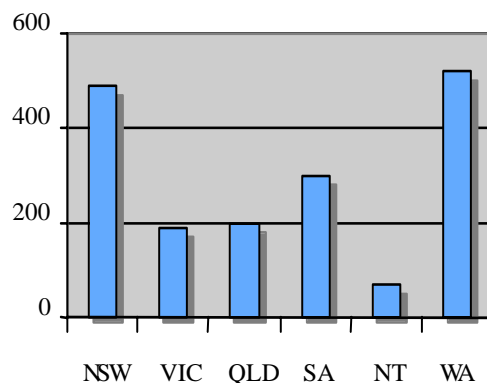
Adding to this burden of disadvantage is the discrimination that indigenous people face in their contact with the criminal justice system. The criminal justice system's disproportionate focus on Aboriginal people is evidenced by the fact that they are 27 times more likely to be in police custody and 15.8 times more likely to be in prison than non-Aboriginal Australians.

Indigenous women have been described as the **"most legally disadvantaged group in Australia"**, and are the fastest growing prison population. Nationally, Aboriginal women are imprisoned at 20.8 times the rate of non-Aboriginal women.

**NSW has more Aboriginal women in prison than any other state.**

31% of women in prison in NSW are Aboriginal, despite the fact that Aboriginal women make up only 2% of NSW's female population. A comparison of rates of imprisonment in NSW and other states show that Aboriginal women, are, in fact disproportionately affected by the NSW justice system, second only to Western Australia.

**Imprisonment rate per 100,000 Aboriginal Females**



**Why are Aboriginal Women Going to Prison?**

**Types of Offences**

Consistently with patterns of female offending, Indigenous women are more likely to be in prison for non-violent property offences (often linked to disadvantage and/or drug use), than for violent offences.

**Influence of Drug and Alcohol Abuse**

Research by the Department of Corrective Services highlights connections between drug and alcohol abuse and offending for women. 62% of female inmates surveyed reported being under the influence of drugs when they committed their most serious offence, and 72% perceived a link between their drug use and their prison sentence. These connections appear to be even more common among Indigenous women, with 80% of Indigenous women in prison surveyed by the Aboriginal Justice Advisory Council reporting that they saw alcohol and/or drug use as a contributing factor to offending behaviour and subsequent imprisonment.

**Lack of Sentencing Options**

Many alternatives to gaol, including the Drug Court (orders for treatment instead of gaol term), periodic and home detention and community service orders have limited availability in rural and remote areas. Given that 2/3 of NSW's Indigenous population lives outside Sydney, and a large number live outside regional centres, it is often not open to sentencing judges to order an alternative to prison. Also, there are not enough Indigenous-specific services in such alternatives – meaning that programs may be culturally inappropriate or not tailored to practical difference in Aboriginal life.