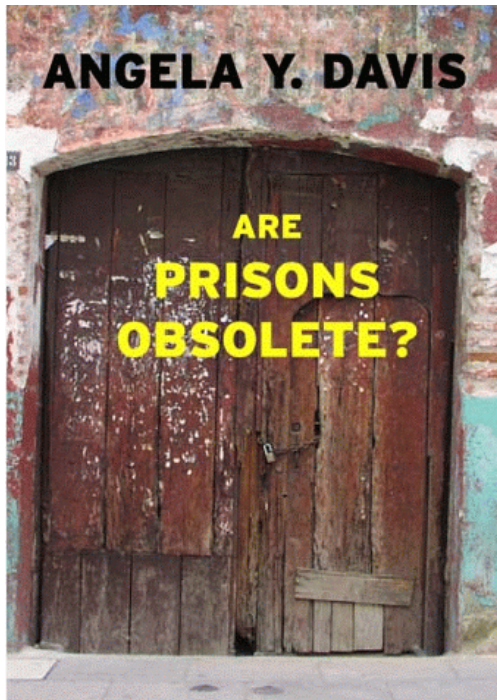




# Alternatives to Prison

Resources for anti-prison activists



In **Are Prisons Obsolete?**, Professor Davis seeks to illustrate that the time for the prison is approaching an end. She argues forthrightly for "decarceration", and argues for the transformation of the society as a whole. There was a time in America when to call a person an 'abolitionist' was the ultimate epithet. It evoked scorn in the North and outrage in the South. Yet they were the harbingers of things to come. They were on the right side of history. Prof. Angela Y. Davis stands in that proud, radical tradition."  
—**Mumia Abu-Jamal**

"In this brilliant, thoroughly researched book, Angela Davis swings a wrecking ball into the racist and sexist underpinnings of the American prison system. Her arguments are well wrought and restrained, leveling an unflinching critique of how and why more than 2 million Americans are presently

behind bars, and the corporations who profit from their suffering. Davis explores the biases that criminalize communities of color, politically disenfranchising huge chunks of minority voters in the process. Uncompromising in her vision, Davis calls not merely for prison reform, but for nothing short of 'new terrains of justice.' Another invaluable work in the Open Media Series by one of America's last truly fearless public intellectuals."

—**Cynthia McKinney, former Congresswoman from Georgia**

More: <http://www.sevenstories.com>



## Values & Visions

At **Sisters Inside**, we believe that no-one is better than anyone else. People are neither "good" nor "bad"; human behaviour is circumstantial, environmental, transformable and fallible. Human beings are driven by seeking to have their needs met. However, they are also essentially

social and interdependent; we each need to be connected to other people and community. The existence of society depends on individuals. Individuals depend on society. We aspire to a society that meets the social and individual needs of the full diversity of its members.

Whilst each person has some opportunity to make choices, our individual and social context plays an important role in determining the extent of these choices. "Choice" must be seen in the context of the situation, the social views being advocated, access to information and the personal experiences/values/ beliefs of each individual. Whilst women have the potential to do anything, it is more difficult for us to make choices when we live in an oppressive and unjust society. This belief is fundamental to Sisters Inside's commitment to challenging and changing the context in which women live.

We believe that there is no "absolute truth", however we live in a society where "truth", "right" and "wrong" are determined by a small minority of the population. This group exercises disproportionate power in all areas of society. In fact, the whole society is constructed in the interest of this dominant group, which seeks to maintain the status quo. Maintenance of our current social structure depends on the existence of a stratified structure, which is unfair to the majority of its members. This results in imbalances in social and economic power, including different levels of access to justice for different members of society.

Because of the economic focus of our current society, property is more highly valued than people. Different members of society are of different values. Only members of the dominant group are consistently valued. They also own most of the society's wealth.

This small minority maintains its privilege through a range of indoctrination techniques. Other social groups are negatively stereotyped. For example, women are typically depicted as either "mad" (if they do conform to social expectations) or "bad" (if they challenge these); they are damned if they do conform and damned if they don't! This promotes the idea that anyone outside the dominant group is "other", "deviant", or "a special needs

group". In fact, these combined groups comprise the majority of the population.

A wide variety of means are used to promote the idea that the privilege of this small elite is justified - even, the "natural order of things", or "the only way to run a society". Techniques used include exploiting the anxieties of the wider population, thus diminishing the humanness of most groups in society. People just outside the ruling elite are provided with incentives to contribute to maintenance of the status quo, in anticipation of joining this social group. Unjust laws and social rules institutionalise levels of advantage and disadvantage across the population, and are changed if too many outside the dominant minority begin to use them in their own interest. In short, the norms of the dominant group are presented as "natural", "inevitable", "normal", "true" or "commonsense".

Useful laws are those which protect freedoms and create social order. Currently the dominant group defines what "crime" is. If laws were created by and for the whole of society, they would be more effective in enabling freedom and order. In fact, our laws often function to criminalise the most marginalised social groups. If people felt genuinely included in society, they would be less likely to break laws.

Prisons are an irrational social response. Prisons do not achieve their intended outcomes - they neither "correct" nor "deter" law breaking. In our society, prisons only function to punish and socially ostracise law breakers. This generates alienation and further criminal behaviour. It also explains the disproportionate numbers of people from socially marginalised groups, particularly Aboriginal people, in the prison population.

Society should resource prevention of crime through development of progressive social policies, particularly those that value women and children. We need to recognise the long term value of preventative strategies, rather

than relying on immediate "outcomes". People who have been through the prison system are best placed to generate realistic solutions to the problems of the criminal justice system. This expertise should be actively valued and encouraged by society. Every member of society is entitled to have their human rights protected. There is no simple solution to how this is best achieved. However, in our society, prisons have been demonstrably unsuccessful in achieving this. Alternative means must be found for protecting society against destructive behaviour.

A key outcome of imprisonment is the social alienation of a wider group than

simply prisoners themselves. The children of women in prison are penalised. Children get their sense of belonging and identity from their connections with their closest caregiver(s) and/or kin. Disturbance of this process can have serious consequences in the formation of the adult, including continuation of a pattern of offending in some families. Therefore, it is impossible to consider issues related to women in the criminal justice system without taking account of their children. Further, maintenance of family relationships is critical to women's capacity to reintegrate successfully with the community following release.

**More:** <http://www.sistersinside.com.au>

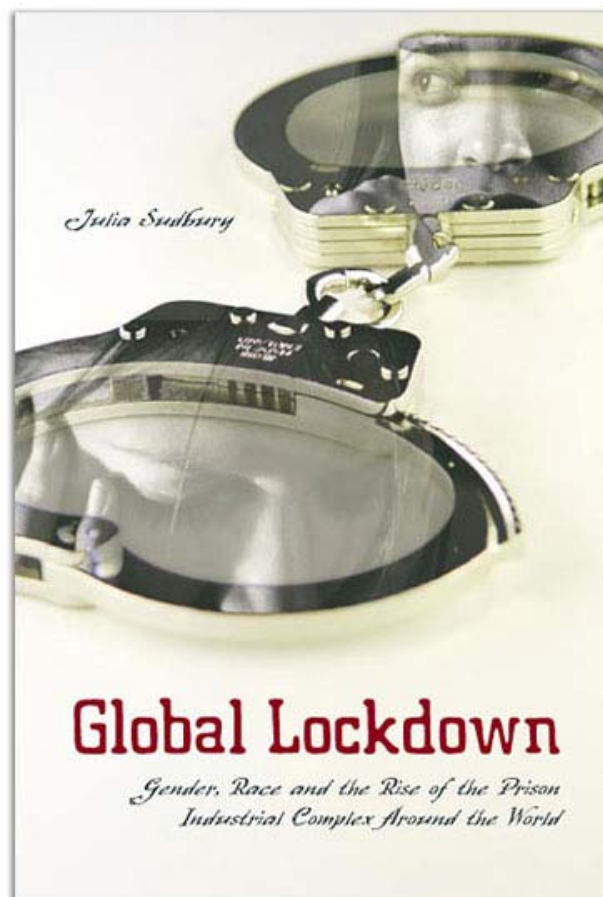
**Global Lockdown: Race, Gender and the Prison Industrial Complex**

bq. Edited By: Julia Sudbury  
bq. Published By Routledge, 2004,  
bq. 352 pages

**Reviewed by Antonia Baker**

An impressive volume of twenty articles, *Global Lockdown* calls for a new approach to thinking about women in prison. Edited by abolitionist Julia Sudbury, it looks at the explosion of women's imprisonment as a crisis of working class women of colour and indigenous women globally. Unlike much existing prison research, it locates the experiences of prisoners at the centre of analysis, and using a transnational feminist approach, encourages us to think beyond the limits of national borders in order to critique the role of race, citizenship, global capitalism and military occupation in the expansion of prison regimes.

Compelling and layered, this anthology moves outside the usual scope of US-centric writing on the prison industrial



complex. Contributors analyze prisons in South Africa, Canada, Mexico, Nepal, Nigeria, Australia, Italy, Jamaica, Britain, Colombia, Portugal,

Palestine, the US and Pakistan. Many write from their prison cells.

Personal narratives and critical essays reveal the effects of imprisonment on women's lives, while rejecting the notion that there's a singular or universal experience of incarceration. Comparisons of prisons from different countries have been written before, but as Sudbury cautions us, many international studies stop short of questioning how borders are policed and the ways in which people's mobility is restricted while capital flows unimpeded.

There are, however, common features in women's prisons worldwide. One of the fastest growing prison populations, women are confined in overcrowded jails where human rights violations are rampant. Sudbury asks what has caused the unprecedented rise in the number of women being sent to prison. She discredits theorists who point to an increased pattern of women offending, arguing that crime rates are falling. Explanations that hinge on women's past experiences of abuse are also problematic in that they obscure the larger political and economic forces driving mass imprisonment.

While much has been written on private investment and prison industries, prior to Global Lockdown there's been little discussion on how prisons are transformed by free trade agreements and economic restructuring, including the interplay between the globalized war on drugs, the criminalization of migration and increased border control and security. Sudbury encourages activists to consider other spaces of confinement, such as immigration detention centres, noting, "Immigrant rights and prison activists rarely share the same platform". Global Lockdown is an academic book, but also a tool for organizing, offering examples of successful cross-border campaigns.

## **Criminalizing Survival**

The first part of the book maps the ways in which women's survival strategies are criminalized. Asale Angel-Ajani explores the policing of immigrants, particularly African women, in Italy, which experienced a 50 per cent rise in its prison population over two years due to the immigrants, drug users and sex trade workers held in custody. The author points to policies such as the increased use of preventative detention under Italy's "Operation Clean Hands", immigration controls, and heightened penalties for drug use.

In Canada, Aboriginal women and youth disproportionately fill our prisons. First Nations ex-prisoner Lisa Neve and activist Kim Pate tell the story of Neve's designation as a dangerous offender in 1994, a court decision that carries an indefinite sentence. Neve writes about her successful struggle to overturn this label, and the Court of Appeal judgment that ruled her crimes were connected to her efforts to survive, including her involvement in the sex trade. Her story shows how classification of women is dangerous, as it's based on the impossible prediction of future behaviour, as well as gender and racial discrimination. Women who refuse to be "managed" by the corrections system receive the harshest treatment. Pate illustrates how the neo-liberal destruction of social safety nets collides with colonization and poverty on a systemic level.

Stormy Ogden, an ex-prisoner of indigenous Yokuts and Pomo ancestry, examines California's prison industrial complex. She discusses the role of prison labour and its colonial roots. Native youth activists experience the devastation of foreign laws and are sent to prison for defending their native burial grounds and lands. The author, sentenced to five years for welfare fraud, describes the

intersecting high rates of imprisonment and sexual violence of native women as genocidal. She concludes, “What was my crime? Being an America Indian woman.”

### **Women in the Global Prison**

The second section begins with Kemba Smith writing from her prison cell, serving time for a non-violent drug offence. She gave birth to her son behind bars and shares her dreams of being at home with her family. Her article *Modern Day Slavery* reveals that 61 per cent of federal US prisoners are serving time for drugs. “Basically this war on drugs is the reason why the prison-industrial complex is a skyrocketing enterprise,” she writes. The Kemba Smith Justice Project has since successfully fought her conviction.

Palestinian political prisoners from three refugee camps in the Gaza Strip share their experiences of detention and sexual torture with Elham Bayour. Meanwhile, Linda Evans reports on women in Vieques resisting imperialist occupation, accused of “trespassing” on their own land. In the US, stigma and discrimination against prisoners has become public policy; in many states women with drug felonies can never receive welfare, apply for student loans or vote. An anti-imperialist former political prisoner, Evans draws insightful links between border militarization, exportation of the war on terror, globalization and the criminalization of immigrants, who are deported after serving their sentences. Other authors discussing the detention of “illegals,” include Sudbury, who writes of the cross-border imprisonment of Jamaican women in Britain, and Rebecca Bohrman and Naomi Nurakawa, who offer an in-depth examination of immigration and crime control in the US.

One of the most interesting articles is Manuela Ivone Perieria da Cunha’s *From Neighborhood to Prison*, which

looks at women and the war on drugs in Portugal. Da Cunha challenges the assumption that prison walls are impermeable, that prisoners are “A World Apart” from the rest of society. In Portugal, one of the European Union’s largest incarcerators, women imprisoned for participating in the drug trade are often locked down with other female family members because mass arrests target entire communities. This, in turn, causes the division between the imprisoned and the free to become blurred, and shifts the focus to the “interface between inside and outside.” Prison culture isn’t about convict code; its roots are in pre-prison networks of family and kin, and it is this mass incarceration, ironically, that helps prisoners maintain their identities, relationships, and will to resist. Like national borders, prison walls can be porous.

### **From Criminalization to Resistance**

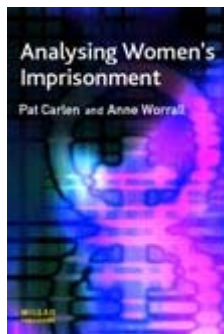
While the third section of the book is the shortest, it contains valuable examples of organizing efforts (though testimonies of women’s resistance weave throughout the book). Melissa Upreti looks at the policing of women’s sexuality in Nepal and traces how cross-border alliances and local activism led to the decriminalization of abortion in 2002. Beth Ritchie challenges us to expand our understanding of the prison system to include regulation of sexuality; her article features the voices of queer black youth in detention in the US. In South Africa, where domestic violence is not criminalized, the Justice for Women Campaign asks why the state responds to women experiencing violence by locking them up. The campaign, as Vetten and Bhana write, mobilizes for the early release of women, as well as legal reform.

Global Lockdown is successful because it contains writings by those who best understand the prison industrial complex: prisoners and their families.



As ex-prisoner Debbie Kilroy insists in *Sisters Inside: Speaking Out* against Criminal Injustice, prisoners need to speak for themselves. Kilroy is rightly critical of those who assert that there are categories of prisoners “who do not belong” in prison – the underlying implication being that there are people who do belong behind bars. Activists need to hear this; to do otherwise is to condone the perpetuation of the prison system. Is the release of certain prisoners (non-violent, political or those deemed minimum-security) an abolitionist strategy? It can be, but only if anti-prison activists see decarceration and legal reform as a beginning and not a destination.

A phrase stays with me from Ruth Wilson Gilmore’s *Pierce the Future for Hope: Mothers and Prisoners in the Post Keynesian California Landscape*: “without glorification or shame.” Romanticizing the prison experience or stigmatizing it renders the pains of imprisonment invisible. What makes *Global Lockdown* unique among other books on the prison industrial complex is that many of its voices are those of women inside, orienting us to center the experiences of women of colour in our analysis and organizing.



## Analysing Women's Imprisonment

By Pat Carlen and Anne Worrall

What are women's prisons for? What are they like? Why are lone mothers, ethnic minority and very poor women disproportionately represented in women's prison population? Should babies be sent to prison with their mothers? Can knowledge of women's imprisonment be better informed by various theories, research studies, philosophies of punishment and cultural analyses which demonstrate the decisive impact on penal affairs of economic and political change? These are amongst the issues with which this book is concerned.

*Analysing Women's Imprisonment* is written as an introductory text to the subject, aiming to guide students of penology carefully through the main historical and contemporary discourses on women's imprisonment. Each chapter has a clear summary ('concepts to know'), essay questions and recommendations for further reading, and will help students prepare confidently for seminars, course examinations and project work.

Published May 2004  
Publisher [Willan Publishing \(UK\)](#)

**beyond bars**  
alternatives to custody



The Beyond Bars Alliance first agreed to come together for the period of time leading up to the 2003 NSW state election. The purpose of the alliance is to promote social justice solutions to a range of criminal justice system issues. It is also the aim of the alliance to dispel common myths about 'law and order'.

Many Australians, spurred on by the media and politicians' 'sound-bites,' think that having more people in prison means that the criminal justice system is working more efficiently. In New South Wales, if this were the case this would mean that the huge increase in the prisoner population between 1995 and 2001 of 20.9%, and the current

use of 98.9% of the state's prison beds would mean that there are lower crime rates and lower re-offending rates on the outside.

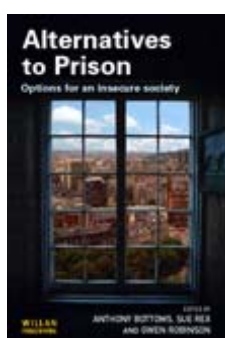
This is not the case. Average crime levels have remained relatively constant. Levels of recidivism (re-offending) have also not fallen. Around 62% of NSW prisoners have already been in gaol on at least one previous occasion. There are no studies in Australia that prove a causal relationship between high incarceration levels and reduced crime or prevented recidivism.

Prisons in NSW are full, not because the criminal justice system is functioning better, or because there are more crimes and criminals out there to avert, but because prison is being used excessively and often too flippantly. Prison should only ever be used as a means of 'last resort.' Unfortunately, in NSW, prison is frequently used instead of alternatives to custody. The Select Committee on the Increase in the Prisoner Population noted;

'the prison population could be substantially reduced if greater use was made of alternatives and diversionary programs'  
(Select Committee 2001, p.107)

**More... [http://www.ncoss.org.au/beyond\\_bars/](http://www.ncoss.org.au/beyond_bars/)**

---



**Alternatives to Prison**  
**Options for an insecure society**  
**Edited by Anthony Bottoms, Sue Rex and Gwen Robinson**

As the UK and many other western societies face up to the consequences of a rapidly increasing prison population, so the search for alternative approaches to punishment and dealing with offenders has become an increasingly urgent priority for government policy and society as a whole. Yet if alternatives are to be found, they must carry the confidence of the general public.

This book reports the results of the research programme commissioned by the Coulsfield Inquiry into Alternatives to Prison, which was funded by the Esmee Fairbairn 'Rethinking Crime and Punishment' initiative. It is written by leading authorities in the field, and provides a comprehensive, authoritative and wide-ranging review

of the range of issues associated with the use of non-custodial sanctions, examining experiences in Scotland and Northern Ireland as well as England and Wales.

The book will be essential reading not only for government policy makers and criminal justice practitioners but for anybody with a professional or academic interest in prison, probation and the nature of society's response to wrongdoing. It does not pretend to offer instant solutions to current policy issues, but, say the editors, 'summarises relevant research, provides essential information and highlights a number of key issues that should be pondered by anyone, in any jurisdiction, interested in the provision of effective 'alternatives to prison;' in a contemporary context'.

**More:**

<http://www.federationpress.com.au/bookstore/book.asp?isbn=1843921049>

# PrisonSucks.com

Many prison reformists yearn for the end of imprisonment but find themselves confronted by questions which seem difficult to answer:

- What do we do about those who pose "a danger" to society? Don't we have to solve that problem before we can advocate the abolition of prisons?
- Is it possible to work for short term prison reforms without being coopted?
- If we devote our energies to abolition, are we not abandoning prisoners to intolerable conditions?
- How can we work for needed prison reforms which require structural change within the society, *before* a new social order comes about?

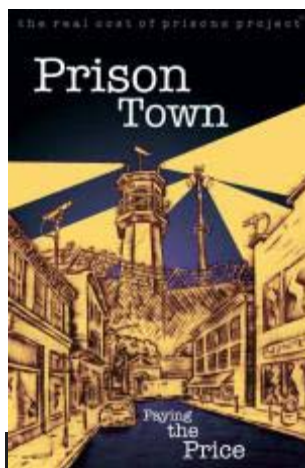
As some of these important questions are addressed, we will discover that many reforms can be achieved in an abolition context. The primary issue for abolitionists is not always one of reform over/against abolition. There are "surface reforms" which legitimize or strengthen the prison system, and there are "abolishing-type reforms" which gradually diminish its power and function. Realizing the differences requires some radical shifts in our perceptions, lest we fall into the trap which has plagued earlier generations. Our goal is to replace prison, not improve it.

Many criticisms of abolition arise from confusion about time sequences. Prisons are a present reality; abolition is a long range goal. How do we hasten the demise of prisons while creating an alternative which is consistent with our ideals?

We perceive the abolition of prisons as a long range goal, which, like justice, is an ever continuing struggle. The voices for abolition have been raised over the centuries, until today no cohesive movement for abolition of prisons has emerged. We have observed how countless revolutions have emptied the prisons, only to fill them up again with a different class of prisoner. Our goal, on the other hand, is to eliminate the keeper, not merely to switch the roles of keepers and kept.

**More:**

[http://www.prisonsucks.com/scans/instead\\_of\\_prisons/index.shtml](http://www.prisonsucks.com/scans/instead_of_prisons/index.shtml)



## The Real Cost of Prisons Project

The Real Cost of Prisons Project, which does innovative popular education workshops on criminal justice issues, has completed the first of the comic books based on one of their workshops:

Prison Town: Paying the Price by Kevin Pyle and Craig Gilmore tells one story of the way in which the financing and siting of prisons and jails impact the people and economies of rural communities where prisons are built. It

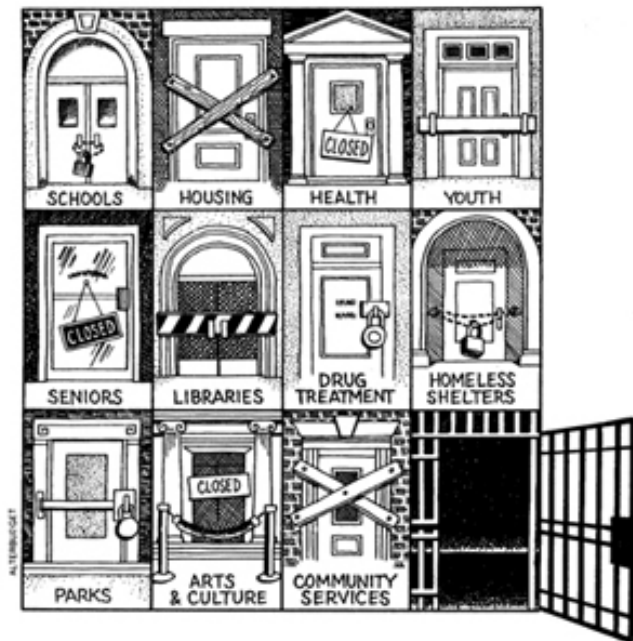


tells a parallel story of the damage done to people in urban communities by mass incarceration. Included is a two page “map” of How Prison Are Paid For (and who really pays?) as well as alternatives to the current system. It's available on the web now in PDF and will be out in print in March 2005.

Other comic books being prepared for release later this spring are Prisoners of the War on Drugs and Prisoners of a Hard Life: Women and Children. Organizations can order up to 300 copies of each comic book for use in their own organizing, community education and outreach work for free, merely by explaining how they would use the books. See the instructions on the Real Cost of Prisons comics page.

**More: <http://www.realcostofprisons.org/index.shtml>**

---



## Radical Alternatives to Prison

Radical Alternatives to Prison was originally active in the 1970's and 1980's. RAP was an abolitionist organisation committed to ending the use of Prison.

Since RAP ceased to be active there has not been a radical anti prison group within the Penal Lobby and the debates have effectively been between those who want a lot of prison (and for it to hurt a lot!) and those who would like less (and for it to be a little less painful). This lack of an ethically based movement

challenging the centrality of Prison within the criminal (in)justice system has meant that the move towards mass imprisonment has not been effectively resisted.

Radical Alternatives to Prison has been relaunched to provide a focus around which those opposed to prison can organise and campaign.

The prime objective of RAP is to oppose the use of prison and work to promote alternatives.

Whilst we support progressive reforms within prisons we will focus on campaigning against prisons. The real solution is closing prisons not reforming them.

In particular we will be campaigning against the imprisonment of children and opposing the building of any more prisons. We will also be raising issues around racism and the imprisonment of women.

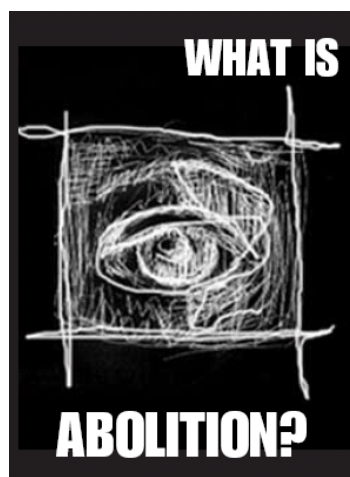
More: <http://www.alternatives2prison.ik.com/>



We have a record prison population but do not feel protected from crime. Prison has an apparently uncritical support from some sections of the media and public, yet large numbers of prisoners re-offend. Politicians view it as a popular policy response, despite its enormous financial and social cost.

Whatever your view of prison, we think there is a need for fresh thinking, new ideas and a much wider public debate.

Over the past three years Rethinking Crime and Punishment has given almost £2 million to more than 50 projects working to increase public understanding of, and involvement in criminal justice. We also aim to produce fresh thinking into the debate and have set up a major independent Inquiry into Alternatives to Prison.



More:

<http://www.rethinking.org.uk/latest/pdf/projects.pdf>

Taking an abolitionist approach means radically shifting the way we think about providing for ourselves and living with each other. It means imagining social environments that provide all of us with basic necessities: a safe place to live, enough food, access to medical care for minds and bodies, access to information and the tools with which to understand and use that information, the resources to participate in whatever kind of economy we have, a means of expressing opinions/interests/concerns, and living free of bodily, psychological and emotional harm (both from individuals and from the state).

*Can you say that you have access to all these things? Does every one in your community have that same access?*

We need to start building the kinds of social environments that will provide these resources for all before we can abolish anything.

We need strategies that will keep our communities whole and keep us safe, not ones that rely on punishment, caging, and bodily harm. The environments most of us live in offer us “public safety” that does not serve the entire community, but protects the interests of the state and the rich and powerful.

**We cannot abolish prisons if we don't have sustainable communities for people to come home to.**

More: [http://www.campusactivism.org/uploads/CR\\_Abolition.pdf](http://www.campusactivism.org/uploads/CR_Abolition.pdf)



y JeanneE Hand-Boniakowski

## HUMAN SACRIFICES AND DESAPARECIDOS

As you read this, one in every 140 people in the U.S. is in a cage. Two million humans in cages called state and federal prisons. Nearly 12 million are caged each year, and about five million are under direct surveillance of the system, on probation or parole. Nowhere else in the world are so many people, nor such a high percentage of people incarcerated. The most populated nation, China, has 10 times more people than the U.S. but we cage half a million more. Most of our cages hold people for non-violent offenses, such as POW's of the infamous war on (some) drugs.

Over 3500 of the prisoners are on death row, the U.S. being one of the very few countries, and the only "Western" industrialized, "first world" nation, to still use capital punishment, better named human sacrifice. Both the dynastic princes running for president from the major, barely distinguishable parties this year, make frequent public statements in support of state killing. HRH Gee Dubya, the neighborly "compassionate conservative", is a serial killer, having signed 135 death warrants in his short gubernatorial career. That's 135 premeditated murders of men and women under the dread power of the Texas criminal injustice system. Same

## THINKING OUTSIDE THE BOX: PRISON ABOLITION

b

modus operandi: lock them up and tell them repeatedly that you are going to kill them, and how, over several years, then do it, often in front of their friends and family.

The "born-again Christian" Mr. Bush is praised by many famous fundamentalists who generally favor the death penalty. Human sacrifice has long been used by theists of many stripes to appease mysterious gods, i.e., the indwelling shadow material of cultures. The death penalty is just that, a shadow ritual of scapegoating, a human sacrifice. The problem is that in this metaphor-starved age, since we do not consciously create rituals to deal with our fearful shadows, we may act them out on one another with deadly seriousness. The death penalty is not deterrent, it is vengeance, which is part of the appeal for Jehovah-fearers.

The vast, vast majority of our criminally unjust "criminal justice" system is a big, expensive way of NOT dealing with crime. There are two million virtual desaparecidos, humans in cages, in the US alone. Hundreds of thousands are released from these dungeons-for-dollars every year with no support at all. That is human sacrifice, and we are all victims: the guards, the cons, the innocent, the guilty, the future victims of humans so regressed and dehumanized by the prisons.

Most Americans have not been in prison, and most do not think at all about their fellow citizens in human storage. Many people on the outside will find that reference to prisoners as their "fellow citizens" faintly obscene. If we think of them as monsters, predators, subhuman, Other, not-us, then we can rationalize their incarceration; we can believe in their engagement as a good and necessary thing, as "justice".

For how else can we tolerate, and continue to pay for, prisons? Unless we buy the twisted lie that these are not our brothers and sisters, we will have to confront our complicity in cruelty, in brutality, in slavery.

If we say, "This is wrong", then we are morally obligated to act to change it. To act to undo the wrong, unlock the

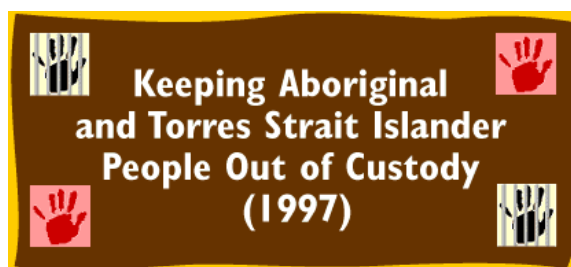
cages of our hearts and free the grief and love that will fuel our struggle to destroy the cages and the supposed need for cages.

**More:**

[http://www.metaphoria.org/a\\_c4t0008.html](http://www.metaphoria.org/a_c4t0008.html)

---

There has been a failure on the part of governments to adequately implement specific recommendations relating to the administration of the criminal justice system. This failure represents a *massive lost opportunity* to resolve critical issues which lead to the unnecessary incarceration of Aboriginal and Torres Strait Islander people.



There has been inadequate regard to a key recommendation on the need for negotiation and self-determination in relation to the design and delivery of services. A failure to comprehend the centrality of this recommendation has negatively impacted on the implementation of a range of other recommendations.

There has been a wider socio-political context working against the interests of Aboriginal people receiving fair and just treatment from the legal system. There has been a stronger emphasis on more punitive approaches to law and order in many Australian jurisdictions since the Royal Commission into Aboriginal Deaths in Custody reported. This more punitive approach has been particularly evident in changes to sentencing law, but also affects other areas such as the decriminalisation of public drunkenness.

The recommendations of the Royal Commission into Aboriginal Deaths in Custody in general terms still provide a blue print for reforming key aspects of criminal justice administration. There is still enormous potential to significantly reduce the number of Aboriginal and Torres Strait Islander people in custody through the implementation of the recommendations.

However, there are problems with some of the recommendations in terms of inadequate drafting or inadequate indication of process. There are also problems in terms of the reporting mechanisms by governments.

**More:**

[http://www.atsic.gov.au/issues/Law\\_and\\_Justice/RCIADIC/Keeping\\_ATSI\\_People\\_Out\\_of\\_Custody/default.asp](http://www.atsic.gov.au/issues/Law_and_Justice/RCIADIC/Keeping_ATSI_People_Out_of_Custody/default.asp)

---

**FIVE YEARS ON**

*Implementation of the Commonwealth  
Government Responses to the  
Recommendations of the Royal Commission*

**Alternatives to Prison**  
*into Aboriginal Deaths in Custody*

Resources for anti-prison activists



### **Aboriginal and Torres Strait Islander deaths in custody: trends since the Royal Commission**

In recent years the number of Aboriginal and Torres Strait Islander people in our nation's prisons has continued to increase, as has their level of over-representation in both police and prison custody. We are now faced with increasing numbers of Aboriginal and Torres Strait Islander people hanging themselves or dying from heart disease in our prisons. Measures must be taken to implement the key recommendations of the Royal Commission into Aboriginal Deaths in Custody that focussed on minimising the numbers of people being held in prison and providing them with high quality care.

Since 31 May 1989, the cut-off date for the deaths investigated by the Royal Commission, a total of 106 Aboriginal, 2 Torres Strait Islander and 514 non-Indigenous custodial deaths have occurred throughout Australia. This is an average of 13.3 Indigenous deaths annually compared with an average of 10.5 during the period covered by the Royal Commission's investigations. On 9 May 1991 the Royal Commission's National Report was tabled in the Commonwealth Parliament. Since that date an average of 13.8 Indigenous deaths have occurred each year. These figures cover deaths in both institutional and community settings.

**More:** [http://www.atsic.gov.au/issues/Law\\_and\\_Justice/RCIADIC/Five\\_Years\\_On/default.asp](http://www.atsic.gov.au/issues/Law_and_Justice/RCIADIC/Five_Years_On/default.asp)

---



**The Drug Reform Coordination Network** was founded in 1993 and has quickly grown into a major national and global network including parents, educators, students, lawyers, health care

professionals, academics, and others working for drug policy reform from a variety of perspectives, including harm reduction, reform of sentencing and forfeiture laws, medicalization of currently schedule I drugs, and promotion of an open debate on drug prohibition.

DRCNet opposes the prison-building frenzy and supports rational policies consistent with the principles of peace, justice, freedom, compassion and truth. Each of these has been compromised in the name of the Drug War.

**More:** <http://stopthedrugwar.org/index.shtml>

---



**Scarlet Alliance is an** Australian Sex Worker Association which, through our objectives, policies and programs, aims to achieve equality, social, legal, political, cultural and economic justice for past and present workers in the sex industry, in order for sex workers to be self-determining agents, building their own alliances and choosing where and how they work.

**Decriminalisation** refers to the removal of all criminal laws relating to sex work and the operation of the sex industry. The decriminalisation model is the favoured model of law reform of the international sex workers rights movement. Occupational health and safety and other workplace issues can be supported through existing industrial laws and regulations that apply to any legal workplaces.

**More:** <http://www.scarletalliance.org.au/>



---

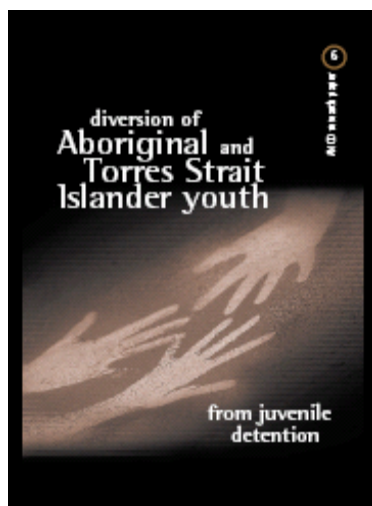
## The Prison and the Home

By Ann Aungles

Ann Aungles clearly demonstrates in this book the nexus between prison and home life. This analysis spans across a range of modern societies to show how forms of social control have been established between these two spheres. The relationship between the home and the prison is examined and many areas of intersection are exposed. Prison populations have increased significantly over the last few years, leading to other measures of detention becoming necessary, such as day leave, work release, home detention, and so on. This situation creates many contradictions as the home may then become the prison, and puts the burden of penal surveillance and care in the home sphere. A frequent consequence of this is that the prisoners' families and those who care for them bear the brunt of this contradiction.

**More:**

**<http://www.federationpress.com.au/bookstore/book.asp?isbn=0867589035>**



Indigenous people desire greater control over criminal justice issues, and there has been some success when this has happened. However, there have been problems with diversion of Indigenous youth from the criminal justice system. These include a lack of adequately resourced diversionary options for Indigenous youth, problems with police control over access to diversion options, and a failure to involve Indigenous communities adequately in planning and implementing diversionary systems...

...We recommend development of a greater number and range of culturally appropriate diversion options that specifically target Aboriginal and Torres Strait Islander youth in areas of high need, and increased capacity to deal appropriately with Aboriginal and

Torres Strait Islander youth in mainstream diversion programs in areas where the numbers of young offenders may not warrant specific youth or Aboriginal and Torres Strait Islander programs.

**More:**

**[http://www.ancd.org.au/publications/pdf/rp6\\_diversion\\_atsi\\_youth.pdf](http://www.ancd.org.au/publications/pdf/rp6_diversion_atsi_youth.pdf)**