

**Perspective:**

# Too Many Women in Prisons, Not Enough Wisdom in the System

More women than ever are in Victorian prisons. Housing insecurity, tough bail laws and a system women no longer trust are just the start of a systemic failure that Flat Out's *Family Violence Justice Pilot Project* is beginning work to fix.

Between 2012 and 2017, the Victorian female prison population doubled. Believe it or not, this makes it one of the fastest-growing incarceration rates for women in the Western world. At the moment, the government's response is focused on building more prisons in Victoria, when a more effective response would be ensuring that women are not being adversely impacted by bail laws that imprison them unnecessarily, and that they have access to more secure housing and specialised services which are delivered with a high level of trust and a gender-sensitive lens.

These issues are compounded by entrenched, systemic racism that sees Aboriginal women account for the largest growth in the prison population. Although only 0.8 percent of Victoria's population, Aboriginal women are 11 percent of its prison numbers. Flat Out's Project Lead, Rei Alphonso, sums it up like this: 'to see more Aboriginal women in a block of cells at Dame Phyllis Frost Centre than you'd see walking free down Swanston Street is a racist disgrace.' When we see more First Nations women in a prison than we would see on a main street it begs the question: why is the system increasingly failing them?

This is the challenge for Flat Out; to consider how to engage with a broken system without further victimising those already traumatised by family violence? Given that an estimated 80 percent of criminalised women have experienced intimate partner and family violence (and that this figure is likely under-reported) why are they so underserved in terms of support? The recommendations from the Family Violence Royal Commission recognised this urgency. As a specialised service who have been working with and advocating alongside criminalised women for decades, Flat Out have the foundations crucial to bridging the gaps in the service sector and are best placed to begin this restorative work.

One of the biggest barriers to accessing support services is women's lack of trust which leads to disengagement with family violence services. In order to protect themselves and their families, women self-exclude from services. As Rei explains: 'this comes from a conscious or unconscious belief that services won't be able to respond to them.' She goes on to say that: 'we know women [who are experiencing family violence]

are experts in how risk operates in their relationships, and they know how to respond to that.' Many women prefer the known and familiar risk of staying in a violent relationship to an inconsistent, unknowable service system that can exacerbate their trauma.

For women who have been convicted with a criminal offence, however minor, the risk of engaging with services can be huge. Perpetrators are often fluent in using the criminal justice system to their advantage by leveraging it as an effective measure of power and control against women. Women with children fear child protection services becoming involved because of the real risk of losing their children. And when police become involved women can easily become incriminated. Women, especially Aboriginal women, can be misidentified as the primary aggressor which then sets off a chain of detrimental events leading them to being imprisoned. Such victim blaming only adds further insult to their injury and needs to be replaced with a genuine understanding and awareness of the barriers oppressing criminalised women.

This is where Flat Out's expertise and specialised approach can improve criminalised women's access to family violence services and response. To date, their focus has centred on training and capacity building in four specific actions for change:

- delivering tailored workshops and presentations;
- facilitating two practice forums;
- presenting at panel discussions; and
- producing best practice guidelines and an advocacy handbook.

In addition to these education and capability building activities, Flat Out are currently sitting on the Police Accountability Project (PAP) working group. Led by Flemington-Kensington Legal Centre, this partnership not only focuses on research and capacity building, but also offers referrals and response to women seeking police accountability for duty breaches in responding to family violence.

This is only the beginning of the inroads being made into the breadth of reform needed. While Flat Out's *Family Violence Justice Pilot Project* is due to finish early 2020, there is still a lot of work to be done.

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Contingent to securing funding for a second phase, plans are in place to implement a specialised Community of Practice (CoP) to respond to an identified need for more specialised support. Flat Out envisions the CoP being a foundation for two working groups — one focused on systemic advocacy and another on developing a specialised assessment tool for criminalised women experiencing barriers to service access.

To ensure women and children are safe, these initiatives need a long-term commitment by government, mainstream services, police and the criminal justice system. 'We're fighting an uphill battle,' implores Rei, 'until the government puts more money into housing than prison expansion, women and children will continue to remain unsafe.' The evidence backs her claim, showing that more prisons do not automatically create a safer community, but what does is more specialised services, more active compassion and more than anything else, secure homes. ■

