

Towards Best Practice in Women's Corrections: The Western Australian Low Security Prison for Women

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Across jurisdictions, women prisoners have largely been 'invisible' and disadvantaged due to their relatively small numbers, the 'masculinist' orientation and militaristic nature of prisons systems and their preoccupation with containment, discipline and security over service delivery.

Rapid increases in prison populations, caused in part by the 'war on drugs' of the 1980s and 1990s, inadequate resources and escalating costs have further impoverished service delivery.^{1 2 3} These issues have in no small way been exacerbated by 'get tough' measures and the 'nothing works' ethos that still permeates many systems, though there has overtly been a gradual philosophic and theoretical shift back toward a focus on rehabilitation.

The alarming increase in prison populations has created prisoner accommodation and management problems and associated systemic crises and public outcry in a number of jurisdictions, including in respect to women's prisons. These events have served to highlight the needs of women prisoners and have forced attention to long-neglected management and service delivery issues.^{4 5 6}

The level of recognition and attention to issues within women's prisons and prisons accommodating women varies, however where reforms are being implemented, they provide noteworthy examples of best practice in women's corrections.⁷ Western Australia has been paying attention.

BACKGROUND

During the 1990s, the women prisoner population in Western Australia rose rapidly within a five-year period from 5% to 7.6% of the overall prisoner population. The number of women in the total prisoner population more than doubled from 111 in 1995/96 to 237 in 2000/01.⁸ At a national level, the proportion of women in the prison population rose from 4.8% in 1995 to 6.6% in 2002.⁹

Women prisoners in Western Australia currently number 218 (as at 8 January 2004). Of those, 120 are non-Aboriginal and 98 are Aboriginal. Aboriginal women comprise around 40% of the female prisoner population, while Aboriginal people overall constitute only 3.2% of the Western Australian population.^{10 11 12 13}

The rapid and significant rise in the number of women prisoners has presented serious accommodation, service provision and management challenges, nevertheless has served to increase awareness both within the justice system and the community of needs and issues for women prisoners. Of particular concern have been equity issues identified in respect to accommodation standards and access to services and programs,

as well as particular issues affecting women prisoners, including parenting and family issues, health needs and so on.¹⁴

In response, a *Women's Accommodation Strategy* was developed by the Western Australian Department of Justice. In December 1998, a previously 'mothballed' juvenile facility, Nyandi, in the Perth residential suburb of Bentley, was reopened to house low-security adult women prisoners.¹⁵ The facility provided a 'spill over' for Bandyup Women's Prison, the only dedicated women's prison in the state, located on the outskirts of the metropolitan area. (Some regional facilities also accommodate women.)

This 'temporary' measure provided a relatively less restrictive environment for low-security women in the metropolitan area, however facilities were nevertheless grossly inadequate for adult women, particularly those with children. While policy permitted accommodation of infants with their mothers during the crucial first 12 months of life, the inadequate facilities meant relatively few children were able to remain with their mothers in prison.

Nyandi became entrenched as the second women's prison in the state while officially remaining an annex of Bandyup. Despite its limitations, the facility helped manage a rate of women's imprisonment that has been nearly double the national average.¹⁶

In 2001/2002, subsequent to a change of government, the newly appointed Western Australian Attorney General, Jim McGinty, with Department of Justice officials, embarked on a fact-finding mission overseas, investigating best practice approaches to women's corrections. His *Report on a Visit to Canada, Minnesota and England* described, among others, the merits of the Canadian approach, which had more than halved the female imprisonment rate in that jurisdiction.^{17 18}

Subsequent to the *Report on a Visit...* a project proposal for a purpose-built low-security prison for women (LSPW) was developed and approved. The overall aim of the project was *'development of a progressive new philosophy ... to achieve world's best practice in management of women prisoners'*.¹⁹

At the same time, the Attorney General requested that the Department of Justice undertake a comprehensive survey of the characteristics of women prisoners in Western Australia. The results of the survey corresponded with findings from studies conducted elsewhere on the profile of women prisoners, and highlighted the generally 'low risk - high need' nature of the Western Australian women prisoner population.²⁰

^{21 22 23}

RATIONALE FOR NEW DIRECTIONS

During the 1970s and 1980s, a 'nothing works' attitude prevailed across correctional jurisdictions worldwide. However, more recently there has been a resurgence of interest in prison programming and rehabilitation. In part, this has been due to the development of new techniques for evaluating program effectiveness (meta analysis), which indicate that rehabilitation is indeed achievable, if addressed in the right way.

Many correctional agencies now support a ‘criminogenic needs’ approach to rehabilitation programs.^{24 25 26} However, evaluation of ‘what works’ in addressing offending, has not always or necessarily addressed gender issues. Most often program opportunities and resources are directed towards prisoners designated ‘high risk’, for example, sex offenders and violent repeat offenders.^{27 28} However, relatively few women fit these categories.

The Western Australian data indicates that women offend significantly less than men. In 2000, of all people charged, 21% were women. Of those women appearing before the Courts, 5.9% were imprisoned. Women prisoners in the main pose relatively little threat to the community, serve relatively short sentences and are then released back into the community. Women’s offences are generally less serious than men’s (primarily drug and property offences, as opposed to violent offences against the person, with some differences in offending patterns between non Aboriginal and Aboriginal women). Overall women make up a relatively small proportion of the prisoner population (approximately 7%). Aboriginal women are significantly over represented in the criminal justice system, reflecting their relative disadvantage within the community and reduced life chances.^{29 30 31}

While women’s offending profile is slowly changing, the increase of women prisoner populations in part reflects sentencing changes driven by a more serious response to less serious offences.³²

These factors make, or should make, women’s management and service delivery a quite different proposition to approaches applied to more high risk male offender populations.^{33 34 35 36}

Where programs are offered to women prisoners, very often they are the same programs that are offered to men, or else are ‘tinkered with’ for provision to women. Less often are programs created specifically for women prisoners (or specifically for Aboriginal women).^{37 38} In addition, evaluation tools do not necessarily measure outcomes that are meaningful from a gender (or cultural) perspective and from the point of view of impact on prisoners’ lives.

‘What works’ programming most often means ‘what works with male offenders’ rather than what works for women and/or for Aboriginal women specifically. In Canada, however, women’s programming is given a clear focus with particular attention to indigenous needs.^{39 40} Holistic approaches have been shown to work best for women and for Aboriginal people, and are far more likely to be effective if they address personal, family and social issues as well as the cultural context and the underlying causes of women’s offending.^{41 42}

Where a drug-using woman was sexually abused as a child, then that issue must be addressed if ‘self medication’ by illicit drug taking and any associated law breaking is to stop, and if her mental health status is to improve.⁴³ Similarly, if women commit fraud or engage in prostitution, underlying issues of poverty and unemployment, social alienation, lack of education and employment skills and ‘sexually transmitted debt’ (ie: debt incurred via male partner’s activities) or other relevant issues, must be addressed. Where cultural alienation is also part of the context, fostering cultural and

community connection and ‘healing’ may be an important aspect of programming and service delivery.^{44 45 46}

A women-specific approach is crucial if women’s offending and recidivism are to be effectively addressed. Simply ‘warehousing’ prisoners without attending to who they are and to the underlying causes of their offending does little to prevent or reduce offending and reoffending or to protect the community from crime in the long term.

PROFILING WOMEN

The ‘*Survey of Women Prisoners in Western Australia*’ identified that:

- the women surveyed were generally young (72% under 36 years of age);
- a majority (63%) had children under the age of 18 years;
- most were sole parents (63% single, divorced or separated by time of release);
- 19% had been state wards at some time during their childhood
- 40% had not completed Year 10 of schooling;
- 58% of the Aboriginal women had not completed Year 10;
- 71% were unemployed in the six months prior to arrest;
- 25% had never held a paid job (51% of the Aboriginal women);
- 67% relied on government benefits prior to arrest;
- 61% reported a previous diagnosis of physical health issue/s;
- 51% reported a previous diagnosis of mental health issue/s;
- 80% reported frequent use of alcohol/drugs prior to imprisonment;
- 67% identified a connection between their drug and alcohol use and their offending; and
- 77% reported a history of abuse either as an adult or a child.⁴⁷

Even given the shortcomings of self-report research instruments, this data provides quite important indications of the nature and needs of women prisoners in Western Australia.⁴⁸

Of particular significance is the intersection of drug and alcohol issues, pervasive histories of victimization and mental health issues within a clearly, highly vulnerable population. This population consists of individuals with few skills and resources, and quite often, sole responsibility for young children. The lives of those children are severely disrupted by parental imprisonment, with long term developmental, adjustment and intergenerational implications.^{49 50 51}

It is quite likely that women’s victimization rates were *underreported* in the ‘*Survey of Women*’, given that sexual abuse, domestic violence and other survivors of trauma are not likely to disclose highly sensitive histories to unknown interviewers in settings where a trust relationship has not been established over time.

The results of the ‘*Survey of Women Prisoners*’, along with high rates of women’s imprisonment and recidivism rates in Western Australia compared to other Australian states⁵², however, has made it clear that the needs of the female prisoner population and Aboriginal women prisoners in particular require new approaches and strategies.

The community expectation that *'something should be done about crime'* also needs to be put into context – namely that more effective approaches are required with particular emphasis on effective long-term strategies addressing the *causes* of women's offending and recidivism.

It is further recognised that positive and effective interventions could have significant intergenerational outcomes given the very high proportion of women offenders who are mothers or carers of children. Increasingly, research points to early indicators of criminal behaviour identifiable in childhood, to do with poverty, deprivation, abuse and neglect, social and economic marginalisation and family disruption — all factors linked to, caused by, and/or leading often to, the incarceration of progressive generations of individuals from the same families and communities.^{53 54 55 56 57}

To a large extent, addressing offending behaviour requires resocialisation of individuals, overcoming developmental deficits and improving life chances by assisting the development of essential social, psychological, parenting, educational, vocational, problem solving and coping skills. A focus is required on fostering the family and community connections and conditions necessary for adaptive adult functioning within society. As well, preventive approaches need to be taken to address issues for 'children at risk' and provision of individual and family support and parenting skills development.

Effective strategies for diversion of women from custody, along with gendered rehabilitation programming and appropriate correctional management are essential — not least of all because women are at the centre of families and communities. When women are imprisoned, the intergenerational implications for individuals, families and communities — indeed for the whole of society — are profound.

OPERATIONALISING THE LOW SECURITY PRISON FOR WOMEN

Given the limitations of existing facilities and services for low-security women in Western Australia and increasing awareness of the 'need to do things differently' in managing women offenders, the Metropolitan Low Security Prison for Women Project was established in 2001, with the following objectives:

- successful reintegration of women into the community together with a reduced rate of recidivism;
- an operational philosophy that recognises and incorporates the needs of women prisoners;
- reforms in the way women offenders are managed and a women's perspective in design and operation of prison facilities;
- integration of the prison into the community and community into the prison; and
- 'normalisation' of living arrangements and management approaches.

A progressive new philosophy for the Metropolitan Low Security Prison for Women was developed, based on the principles of:

- Personal responsibility and empowerment;
- Family responsibility;
- Community responsibility; and
- Respect and integrity.

The philosophy states that:

- The innovative design and daily activities of the LSPW will mirror responsibilities faced by women in everyday life and support a strong community and family focus;
- The women will contribute to society through community and voluntary work. These activities will build positive, mutually beneficial relationships with the community, enabling women to increase their capacity to take control of their lives. As prisoners return to the community, these relationships are the key to their successful integration;
- Together with improved health, work and education skills, each woman will be better able to take responsibility for her choices - thereby reducing the risk of reoffending;
- The prison aims to maximise the potential for women to positively, confidently and safely reintegrate with their families and communities;
- Community safety will be enhanced by reducing the likelihood of the women reoffending; and
- The prison environment will offer meaningful opportunities for women offenders, and rather than being isolated, the women will be supported as an integral part of the community.⁵⁸

The Metropolitan Low Security Prison for Women — its name is yet to be announced — will provide a normalised, residential-style environment and accommodate up to 70 women. It will comprise 12 units/houses, each with five bedrooms. Each woman will be allocated her own bedroom and will share kitchen and other facilities with the other women in her house, including kitchen, bathroom and laundry, as is the case in a ‘normal’ home within the community.

As well, there will be three mother and child units – each of which will be able to accommodate two mothers and their children. Other units will also be able to accommodate women and children if required. Children to age four will be able to be accommodated with their mothers, and school-aged and other children will have access to extended visits. In addition, there will be intermediate-care accommodation for women requiring temporary additional support or respite from the self-care environment.

The facility will operate under a dynamic security model with staff chosen for their interpersonal skills and suitability to work with women and children in a low-security environment. A self-care model will be implemented, with women providing for their own daily needs, including cooking, cleaning, budgeting, shopping for essentials, laundry and other tasks, with the guidance and assistance of staff where necessary.

Accommodation adheres to the Homeswest (Western Australia's public housing authority) standard and includes 17 individual houses in a landscaped campus-style environment surrounded by a link mesh fence with electronic detection. Security is as much for protection of residents (eg: women subject to domestic violence or harassment from ex partners and others) as for prevention of escapes or traffic in contraband.

<p>The centralised location of the prison in the Perth metropolitan area is crucially important as it permits access by women and their resident children to locally available education and training institutions, traineeship and employment opportunities, community-based health and welfare services, public transport and other amenities.</p>
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Residents will participate in a 'full constructive day' of meaningful activity including education, training, work, personal development, programs, household chores and recreation. Selected women will participate in voluntary and community work. The family and community contact necessary for maintenance of essential relationships and development of re-entry supports will be facilitated.

Operation of the facility will be supported by specially recruited volunteers who will enhance the delivery of services and provision of essential supports to the residents, their children and families, with a focus on women's re-entry needs.

Drug management will be a focus of the prison, with provision of drug treatments including pharmacological and therapeutic treatment programs. These measures will be supplemented by employment of a 'passive alert' dog on site.

The new buildings are being constructed adjacent to the existing Nyandi prison.

CONCLUSIONS

The Metropolitan Low Security Prison for Women project has been based on extensive research of the literature, best practice approaches and preferred models of service delivery, and was informed by the deliberations of a Project Reference Group. This included international, interstate and local experts in the fields of women's imprisonment, restorative justice, women's health, family services, Aboriginal studies, pastoral care, women's advocacy and social policy.

Project Reference Group member Janet Sue Hamilton (lately Warden of the Edmonton Institution for Women), along with representatives of other best practice jurisdictions, contributed significantly to the development of a Western Australian model for the management of women prisoners. The provision of expert advice and

program, training and operational models facilitated development of appropriate service delivery approaches at the Low Security Prison for Women.

Due account has taken of those factors that may erode reforms over time and to the need for consistent ongoing application of a progressive philosophy and staffing regime in order to ensure continuing improvements to women's prison management.

Another important feature of the Metropolitan Low Security Prison for Women has been extensive consultation with a wide variety of stakeholders. A Community Advisory Group (based on the Canadian Citizens' Advisory Committees) has provided input into the development of the prison and will continue its work into operationalisation of the facility, as well as providing women with essential community contacts and opportunities. The Community Advisory Group was formed from self nominated local business and community representatives and local residents.⁵⁹

The volunteer strategy and Community Advisory Group reflect the Western Australian Government and Department of Justice commitment to community engagement and participation.

Commissioning of the new buildings for the Metropolitan Low Security Prison for Women is scheduled for May 2004. The prison will set new standards for women's corrections and represents a new approach to management of women prisoners. It adopts a forward-looking model that recognises the diverse needs of women, and is intended as a benchmark for reforms across Western Australian prison services overall.

Further Information about the Metropolitan Low Security Prison for Women may be obtained by contacting:

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