



Dear

## Re: Justice Action Report - MAY 2013 – December 2014

This report will update you on our latest news and campaigns, laying the groundwork for future stages of change. Since our last Justice Action Report, we have been extremely busy – too busy to even prepare this report until now, and have achieved some major wins in several areas. Please give us feedback on any of the topics raised or ideas for others. You are our community. You can also have others make contact with us or have families register through our website. We fund ourselves through our social enterprise Breakout Media Communications, doing printing design and websites since 1984. This allows us to keep strong and independent from government.



*Launching iExpress with Bolt Cutters*

## iExpress

The launch of iExpress (<http://tiny.cc/fwm1qx>) by Justice Action in December 2013 brought people in prisons and hospitals into the digital world by taking them out of their cells and onto the net. iExpress is the world's first prisoner webpage and interactive email system, aimed at empowering people in prisons and forensic hospitals by reducing the existing digital divide. iExpress provides free services including personal emails and online profiles. This provides empowerment for prisoners and forensic patients, helping to reduce social exclusion through an outlet for positive communication and self-expression. iExpress has been acknowledged by Huffington Post, a Pulitzer Prize winner and the world's most popular blog. Write to us if you would like to be a part of this.

## Computers in Cells

There is general agreement amongst all authorities in Australia and New Zealand that computers in cells are as necessary as televisions have been in the past. Allowing computers in cells will tackle issues such as recidivism, education and employment, as well as access to legal resources and a means of communication to sources of support. Prisoners spend up to eighteen hours each day in cells often with little to no social interaction. This isolation drives people mad and makes resettlement more difficult. Computers in cells allow interaction with the outside world and occupy minds and time.



*Justice Action Report*

The most compelling case for computers in cells is around online counselling. Studies have proved that online counselling is actually more effective than face-to-face therapies. Other key advantages include: active use of cell time, stability and service continuity during incarceration and post release, greater trust in counsellors, increased empowerment by encouraging self-management, and reduced cost.

Justice Action published a research paper on the benefits of



*The Team after a court hearing for Saeed Dezfouli*

online counselling in prison cells that has generated widespread interest from authorities within Australia and abroad. It was featured in the UK prisoners newspaper Inside Time.

## Prisoners' Rights to Storage

Storage for prisoners' belongings after arrest is crucial for maintaining a foothold in the outside world, as well as securing their clothes, personal history and identification documents for their post-release reintegration.

For 35 years NSW Prisoners Aid Association (PAA) provided storage facilities until they were defunded. This resulted in a thousand prisoners potentially having their possessions trashed. They were told they would lose items such as letters, photos and family heirlooms. The undermining of this property right ignored the obligations of arresting authorities, and was destabilising for people already made vulnerable by their loss of home, job and family support.

PAA, with the help of Justice Action and others were successful in regaining funding, allowing them to continue offering essential storage services to prisoners. This campaign to protect prisoners' property rights

will roll out to other states, territories and New Zealand in 2015 as our research showed it was neglected widely.

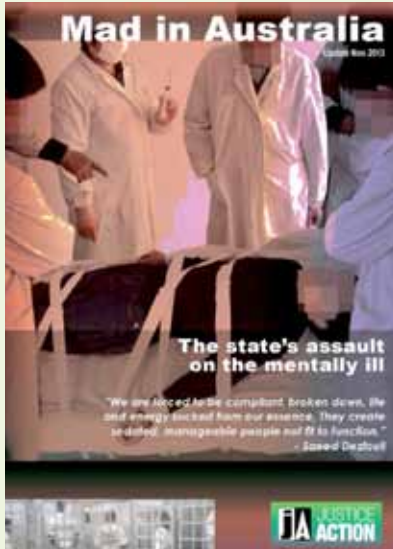
## Mental Health

The long-running campaign to establish rights for people in the mental health system has had some significant wins. Over the past 8 years we have focussed on Saeed Dezfouli who is currently serving an indefinite sentence in Long Bay Forensic Hospital.

After three Supreme Court cases, we have achieved some significant triumphs. Justice Lindsay in January declared the Mental Health Review Tribunal's power (MHRT) to direct treatment in hospitals and the obligation to respect mental health consumers' right to "recovery" on their own terms. Health is an accountable service not a weapon. The Crown Solicitor attempted to recover from Justice Action their \$60,000 in court costs defending against Saeed's legal challenges, but it was treated with the contempt it deserved. Despite the Tribunal ordering the hospital to give Saeed access to consumer workers and a computer, the hospital said "yes" and did nothing, treating the MHRT with contempt. The Tribunal

President expressed his frustration saying “sometimes the system needs a kicking” but left the hospital kicking Saeed.

The Health Dept is fighting to keep its absolute control, owning everybody with its budget of \$17 billion. The battle against the hospital culture has a few rounds yet to go.



*Mad in Australia Report (2013)*

## Forced Medication

Australia has been criticised by the global community for forcibly injecting mental health patients. It breaches the UN Convention for the Rights of the Disabled, and is an ineffective method of treatment. Social support including consumer workers is more effective and wanted. However medication is basic to the mental health industry's control, and is the elephant in the room. JA raised this at the Ninth National Forum on Reduction of Seclusion and Restraint Forum presenting our publication Mad in Australia. (link) It was acknowledged by the National Mental Health Commission as a significant document carrying the necessary voices of those locked in hospitals and prisons.

## Community Treatment Orders

Australia's use of Community Treatment Orders (CTOs) on mental health patients is disproportionately high. CTOs enable a nominated authority to subject patients to medication and treatment regimes against their will. Justice Action prepared a research paper. These measures are coercive and counterproductive. They are a tool of control that undermine rehabilitation.

## Parklea Prison Cell Cramming

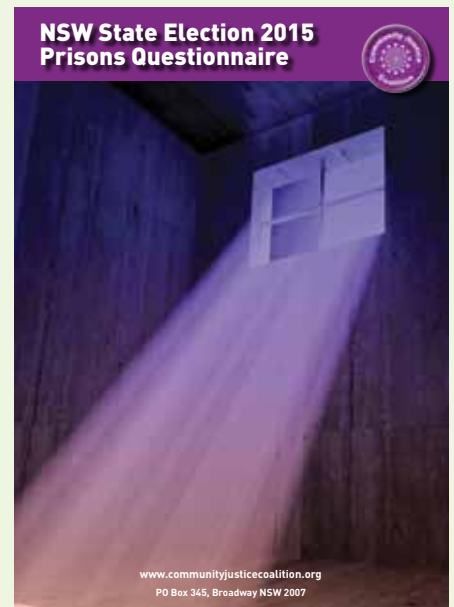
Parklea, managed by the private GEO Group, placed three prisoners in two-person cells, in breach of Health regulations. That caused overcrowding, tension around services and violence. Justice Action intervened after being petitioned by 100 Parklea prisoners. After negotiations, Corrective Services NSW reversed the decision.

## JUST US

Over 25,000 copies of JUST US (volume 5), were circulated to people in prisons and hospitals throughout Australia and New Zealand just before the Federal election, after we ensured widespread enrolment. The newspaper presents their voices and contains essential information about socio-political issues in the criminal justice system including the use of their vote. Despite constitutional protection, South Australia and New Zealand refused to allow its entry. Victoria allowed it after we inked out a prisoner's letter. The next edition of JUST US was intended to be distributed before Christmas 2014. However due to Justice Action's high workload the next issue will be out in early 2015, and will include an extended online edition. Send your contributions now!

## Community Justice Coalition Questionnaire

The Community Justice Coalition prepared a Questionnaire to examine political parties' responses to a spectrum of prison-related criminal justice issues prior to the 2015 NSW election. It was created with the help of experts in their fields, to allow open dialogue between the political parties and community to form useful agreements. A forum focusing on political parties' responses to the Questionnaire is scheduled for 17 February 2015 at the University of Sydney Hall of Assembly.



## Women in Prison

Women are the fastest growing prison group in Australia. Justice Action feels that any challenge to imprisonment and its destruction is best directed here. In March, we made a presentation in conjunction with the Women in Prison Advocacy Network (WIPAN) to the Chinese Ministry of Justice, who was visiting Australia hosted by the Australian Human Rights Commission. We recommended that an organisation similar to Justice Action be supported in China.



*Presenting to the Chinese Ministry of Justice*

The Community Justice Coalition, International Commission of Jurists and WIPAN, held a Women in Prison Forum in NSW Parliament in August. Chair Elizabeth Evatt, former Chief Justice of the Family Court, said: "We need to find other ways to deal with the social problems. Locking so many away causes too much damage." All political parties agreed to commit to diversionary programs, including restorative justice process and mentoring. John Dowd, former Attorney General and CJC President said: "Education is essential for these women to take back control of their lives and re-integrate into the community. Having computers in cells will be a catalyst for learning and a better alternative to having a TV".

## Deaths in Custody

Tracy Brannigan died at Dillwynia Correctional Centre in February 2013. Her family and friends were outraged by the system's neglect. Justice Action followed the Inquest, overturned a \$25,000 demand for legal representation and got media interest. Her family asked us to ensure that such a tragedy was not repeated. We created and are negotiating the Tracy Brannigan Action Plan proposals which includes creating an enforceable legal duty of care, implementation of 'peer support' programs, guaranteed access to education and provision of responsive legal aid.

## Parole

Some high profile cases in several states have caused Inquiries into parole systems. Justice Action argued

that the current system does not offer pre-release services to assist prisoners' reintegration and extends sentences. We argued there must be obligations placed on parole boards to support prisoners' needs rather than block them. We built an Agreed Parole Plan proposal that imposes objective written obligations on Corrective Services, parole authorities, as well as the prisoner from the time of sentencing to the end of parole.

## Consorting

Several states created consorting laws directed against biker groups. The offence of "consorting" is an unjustifiable infringement upon the human right to free association. It undermines the support that peer groups can foster, and the social and



*Artwork by Monica Biasio*

psychological benefits they provide for a safer community. The offence operates inequitably, undermining the rights of disadvantaged groups such as prisoners and Indigenous Australians in order to satisfy a misguided crime control agenda. We presented a research paper.

## Art and Music in Prisons

Justice Action wrote two papers, one on art in prison and the other on music in prison. These papers highlighted the therapeutic and rehabilitative benefits of art and music. Prisoners are using the iExpress internet platform to

showcase their artwork and musical compositions. It facilitates their self-expression in productive ways and provides a creative outlet to escape the monotonous prison or hospital environment.

## International Conference on Penal Abolition

Justice Action attended the 15th International Conference on Penal Abolition, ICOPA15, in Ottawa Canada in June. We hosted ICOPA11 in 2006 in Tasmania. Over three days, the conference heard the voices of prisoners, academics, administrators and activists from around the world. We presented our Computers in Cells work and linked with excellent organisations.

## CURE Conference

In March Justice Action attended the Citizens United in the Rehabilitation of Errants Conference in Thailand. The US based group played host to activists from China, Pakistan, Africa, Russia and Scandinavia. Academics, churches and a former prison officer also presented. The Conference highlighted common themes across cultures and exposed grotesque institutional behaviour that caused universal concern and raised suggested responses. It looked at the application of the Bangkok Rules to female prisoners throughout the world, and in Bangkok itself. It also extended our networks.

## *Pass this on to others.*

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