

## The social and cultural resilience and emotional well-being of Aboriginal mothers in prison

Despite comprising only 2.5 percent of the Australian population, Aboriginal and Torres Strait Islander<sup>i</sup> adults are imprisoned 14–19 times more frequently than non-Aboriginal people<sup>1</sup>. This is one of the highest rates of Aboriginal incarceration among the OECD countries. The number of Aboriginal women being imprisoned has increased each year, with a 9 percent rise between June 2009 and June 2010 alone; this is compared to 3 percent among non-Aboriginal women and 2 percent among Aboriginal men<sup>1</sup>. In 1991, the Royal Commission into Aboriginal Deaths in Custody recommended that imprisonment of all people be a last resort. However, as highlighted in the *Bridges and Barriers* report, the number of Aboriginal women in Australian prisons has increased an exponential 343 percent since 1991<sup>2</sup>. This makes Aboriginal and Torres Strait Islander women the fastest growing sub-group among the prisoner population, and this is particularly so in Western Australia (WA) and New South Wales (NSW)<sup>ii</sup>.

### The context and consequences of Aboriginal incarceration

In order to understand the over-representation of Aboriginal people in Australian prisons the broader context needs to be taken into account. Despite improvements in some areas, Aboriginal Australians continue to lag behind their non-Aboriginal counterparts on almost every social and economic indicator. Among other things, the list that follows

is evidence of disadvantage, including poorer physical and mental health (including higher levels of morbidity and lower levels of social and emotional well-being), lower life expectancies, overcrowded and impoverished living conditions, problematic substance use, and lower levels of employment and education<sup>3,4,5</sup>. These factors, along with a history of dispossession, social exclusion and policies supporting the removal of children from their natural family, have all been associated with Aboriginal people's contact with the criminal justice system<sup>6,7</sup>.

### The characteristics of female Aboriginal prisoners

Data have shown that a large percentage of Aboriginal women entering prison in Australia come from disadvantaged backgrounds and enter prison with high health and other needs<sup>8</sup>. They are likely to be under-educated, unemployed or employed in low paying jobs, experiencing mental health and substance use issues, and to have experienced abuse as children and as adults<sup>9,10</sup>. A recent review of the literature by Bartels highlights that many of these women serve shorter sentences than non-Aboriginal women and are imprisoned for relatively minor offences, particularly public order offences<sup>8</sup>. However, as noted in other sources<sup>11,12</sup>, Aboriginal female prisoners are also more likely to be both the victims and perpetrators of violent offences than non-Aboriginal female prisoners. Additionally, a higher proportion



Mandy Wilson

Jocelyn Jones

of Aboriginal women tend to be on remand rather than sentenced<sup>8</sup>. Prisoners remanded to custody experience immediate stresses associated with, for example, accessing bail, retaining or securing accommodation and issues related to parenting<sup>9</sup> and are particularly vulnerable to self-harm and suicide in prison<sup>13,14</sup>. The rate of major mental disorders in prison is significant. The Western Australian Inspectorates Office reported in March 2011 that 59 female prisoners (25 percent of the prison population) in Bandyup (WA's maximum security female prison) were identified as suffering from a mental disorder, out of which 35 (59 percent) were Aboriginal<sup>15</sup>. Research also shows that Aboriginal women being released from prison are at the highest risk of social exclusion, homelessness, domestic violence, victimisation and re-incarceration<sup>16</sup>.

### Aboriginal mothers in prison

Our knowledge of Aboriginal women as mothers in Australian prisons is limited<sup>8</sup>. Historically, Aboriginal women have been, and continue to be, the main carers in their extended families and it is estimated that around 80 percent of Aboriginal women in Australian prisons are mothers<sup>9,12</sup>. This means the rising rate of incarceration among Aboriginal women not only impacts on their own health and well-being, but has

i. For the rest of the document, when we speak of Aboriginal people, we include those who identify as Aboriginal, Torres Strait Islander, and Aboriginal and Torres Strait Islander.

ii. In WA Aboriginal women make up approximately 50 per cent of the female prisoner population.

widespread impacts on their families and communities. In NSW it was shown that 20 percent of Aboriginal and Torres Strait Islander children had experienced the loss of a parent to incarceration; these children are at risk of developing mental and health problems in the future, and of becoming involved in the juvenile justice system themselves<sup>17</sup>. In WA, the vast expanse of the state and the physical locations of its six prisons that house women means that, as well as the practical challenges of managing mothering and care-giving roles from inside prison, Aboriginal women who are imprisoned for more serious crimes are likely to be incarcerated far from their country and away from family<sup>14</sup>.

### Programs for Aboriginal women in prison

Given that most prisoners in Australian prisons are males, the majority of prisons are purpose-built to hold male prisoners and are organised around their custodial requirements. With some exceptions, needs specific to female prisoners are often met through adaptations to existing male frameworks and programs<sup>18</sup>. International and Australian research has demonstrated that *'as compared with males, female offenders under supervision seem to have a higher prevalence of needs in the personal and emotional area, in marital and family relations, and in academic and vocational skills'*<sup>19</sup>. Despite this, a low priority is placed on gender-specific rehabilitation services for women that address physical and sexual abuse, psychological wellbeing, children and families<sup>20,21</sup>.

Aboriginal female prisoners are even further disadvantaged in their access to appropriate rehabilitative programs *'because their needs are considered as being met either through services designed for Indigenous men, or non-culturally specific services designed for women'*<sup>12,22</sup>. Additionally, it has been noted that Aboriginal women, for a variety of reasons, may choose not to access services post-release<sup>11</sup> and while a number of prisons (including in WA) allow for children to reside full-time with a mother or offer other mother and children programs and alternative care arrangements, these programs are often poorly utilised by Aboriginal mothers<sup>9,11,15</sup>.

### Current research

Researchers from the *'Substance use among Indigenous Australians'* team at NDRI, in collaboration with a multidisciplinary team from the University of NSW, are currently involved in a four-year, NHMRC-funded project focusing on the social and emotional well-being and cultural resilience of Aboriginal mothers in prison. The project emerged from

a previous study called *'Mothers and Gestation in Custody: Investigating the impact of incarceration whilst pregnant (MAGIC)'*. MAGIC explored the pregnancy and birth outcomes of women in prison in NSW. An advisory group on Aboriginal and Torres Strait Islander women in prison was formed over the course of the research. Members of this group were unanimous in the view that the consequences of imprisonment for Aboriginal women, children and communities as a whole are unique to Aboriginal peoples. The distinctive historical and political issues which have led to the gross over-representation of Aboriginal peoples in Australia's prisons were highlighted. They also emphasised that Aboriginal women in prison have the right to health services that meet their specific cultural values and expectations, and provide equal quality and outcomes.

Our project, which is led by a team of Aboriginal and non-Aboriginal investigators, aims to better understand the health, treatment and other needs of Aboriginal mothers in prison in NSW and WA. The research will focus on Aboriginal mothers': social and emotional well-being; experiences of mothering from prison; access to, and appropriateness of, healthcare services and programs provided in the prisons; and needs on transition from prison into the community. In WA, all prisons that house women will be study sites including the two metropolitan women's prisons, Bandyup and Boronia Pre-release Centre for Women, and the regional prisons located in the Eastern Goldfields, Greenough, the West Kimberley, Roebourne and Broome. The intention is to interview up to 90 women across the state.

### Research methods and process

This study utilises a mixed methods approach and will include: a health survey of the medical records of Aboriginal women in prison in WA; an examination of policy and procedural documents; implementation of an existing, validated tool to measure social and emotional well-being (SEWB) among incarcerated Aboriginal mothers<sup>iii</sup>; in-depth narrative interviews with Aboriginal mothers (on remand and sentenced) and Corrections staff; and a series of focus groups with key stakeholders in the community.

Important progress on the project to date has been the completion of a lengthy consultation process whereby the researchers engaged extensively with key stakeholders in the community including representatives from Aboriginal community-controlled organisations, government and non-government agencies. The consultation process, while garnering local support for the project, provided a picture of the

concerns the community have in relation to Aboriginal mothers in prison in WA. Broadly, themes arising from consultation included the urgent need for prison programs and services that meet the specific cultural, spiritual and health needs of this population. Concern was also expressed about the babies and children who reside with their mothers in prison, in particular around issues to do with the child's limited access to healthcare in prison and the adequacy of mother and baby facilities. In addition, stakeholders agreed that, to address the high recidivism rate among Aboriginal women, we need to know more about these women's health and other needs for successful transition from prison into the community.

The researchers have also been advised on research process by members of two on-going reference groups. The first group is comprised of community and consumer representatives, and the second draws on the experience of university and medical professionals. Members of these groups have been actively involved in identifying key issues facing Aboriginal mothers in prison and the community, pinpointing gaps in service provision for these women (both in prison and on release), and most recently, contributing to the development of the qualitative interview schedule which will be piloted next month with Aboriginal mothers in Boronia Pre-release Centre for Women.

The next few months promise to be an extremely busy time for the WA researchers who will be travelling the state conducting interviews. In keeping with the capacity building component of the project, researchers will work in collaboration with the local Aboriginal Community Controlled Health Organisations at each site. Our plan is to employ local Aboriginal staff to help conduct the interviews in the prisons, and to enlist translation and support services where appropriate.

### Conclusion

Incarcerated Aboriginal women have been identified as a vulnerable population, entering prison with high physical, mental health and other needs. Yet they are least likely to have access to programs and services that are designed to specifically respond to their needs, both in prison and on release. In an era which is witnessing devastating rates of incarceration among Aboriginal women, this is particularly concerning. The majority of these women in prison are mothers and often significant carers of others in their extended family networks; their incarceration has far-reaching consequences for their children, families and communities. However, our knowledge of the needs and experiences

iii. We will be using the same questions to measure SEWB as those that will be used in the 2012 National Aboriginal and Torres Strait Islander Health Survey.

of these women is extremely limited. Addressing this gap has the potential to improve the rehabilitative outcomes for Aboriginal mothers moving through the prison system and in turn create positive change in their families and communities. **cl**

**Mandy Wilson, Research Fellow and Jocelyn Jones, Adjunct Research Fellow**

### References

1. Australian Bureau of Statistics. (2011). Prisoners in Australia, 2011, Cat. No. 4517.0. Canberra: ABS. Viewed 18 April 2011 <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4517.02011?Op=enDocument>
2. National Indigenous Drug and Alcohol Committee. (2009). Bridges and barriers: addressing Indigenous incarceration and health. Canberra: NIDAC.
3. Johnson, H. (2006). Drug use by incarcerated women offenders. *Drug and Alcohol Review*, 25, 433-437.
4. Steering Committee for the Review of Government Service Provision. (2009). Overcoming Indigenous Disadvantage: Key Indicators 2009. Canberra: Steering Committee for the Review of Government Service Provision.
5. Vos, T., Barker, B., Stanley, L. & Lopez, A. (2007). The Burden of Disease and Injury in Aboriginal and Torres Strait Islander Peoples 2003. Brisbane: School of Population Health, University of Queensland.
6. Cunneen, C. (2001). Assessing the outcomes of the Royal Commission into Aboriginal Deaths in Custody. *Health Sociology Review*, 10(2), 53-64.
7. Weatherburn, D., Snowball, L. & Hunter, B. (2006). The economic and social factors underpinning Indigenous contact with the justice system: results from the 2002 NATSISS. *Crime and Justice Bulletin*, no. 104. Sydney: NSW Bureau of Crime Statistics and Research.
8. Bartels, L. (2010). Indigenous women's offending patterns: A literature review. *Research and Public Policy Series*, no. 107. Canberra: Australian Institute of Criminology.
9. Lawrie, R. (2003). *Speak Out Speak Strong*. NSW: Aboriginal Justice Advisory Council.
10. Department of Corrective Services (2009). Profile of Women in Prison 2008. Perth: Strategic Planning and Review Branch.
11. Australian and Torres Strait Islander Social Justice Commissioner. (2002). *Social Justice Report 2002*. Canberra: Australian Human Rights Commission.
12. Behrendt, L., Cunneen, C. & Libesman, T. (2009). *Indigenous Legal Relations in Australia*. South Melbourne: Oxford University Press.
13. Dear, G., Thomson, D., Howells, K & Hall, G. (2001). Self-harm in Western Australian prisons: differences between prisoners who have self-harmed and those who have not, *Australian & New Zealand Journal of Criminology*, 34: 277-292.
14. Mahoney, D. (2005). *Inquiry into the Management of Offenders in Custody and in the Community*. Perth: Department of Premier and Cabinet.
15. Office of the Inspector of Custodial Services. (2011). Report of an Announced Inspection of Bandyup Women's Prison, Report no. 73. Perth: Office of the Inspector of Custodial Services.
16. Baldry, E., McDonnell, D., Maplestone, P., & Peeters, M. (2006). Ex-prisoners, accommodation and the state: post-release in Australia. *Australian and New Zealand Journal of Criminology*, 39(1), 20-33.
17. Quilty, S., Levy, M., Howard, K., Barratt, A. & Butler, T. (2004). Children of prisoners in Australia: a large and growing public health concern. *Australian & New Zealand Journal of Public Health*, 28, 339-43.
18. Bartels, L. & Gaffney, A. (2011). *Good Practice in Women's Prisons: A Literature Review*. Technical and Background paper, no. 41. Canberra: Australian Institute of Criminology.
19. Porporino, F. & Fabiano, J. (2005). Is there an evidence base supportive of women-centred programming in corrections? *Corrections Today*, 67(6), 26-27.
20. Sorbello, L., Eccleston, L., Ward, T. & Jones, R. (2002). Treatment needs of female offenders: a review. *Australian Psychologist*, 37(3), 198-205.
21. Wilmoth, D. (2005). Mental health needs of women in prison: an international perspective with an Australian angle. *Int J Prisoner Health* 1(2-4), 249-254.
22. Office of the Inspector of Custodial Services. (2009). Report of an Announced Inspection of Boronia Pre-release Centre for Women, Report no. 62. Perth: Office of the Inspector of Custodial Services.