John Brandolino  
Director  
Division for Treaty Affairs  
UN Office on Drugs & Crime  
Via email: justice@unodc.org  

29 July 2022  

Dear Mr Brandolino  

Re: Model strategies for reducing ‘reoffending’ for consideration by the open-ended intergovernmental expert group, in support of:  

The Draft Resolution from: UN Economic & Social Council  
Commission on Crime Prevention and Criminal Justice  
Thirty-first Session  
Vienna, 16–20 May 2022  
Agenda item 7 - Use and application of United Nations standards and norms in crime prevention and criminal justice  

Thank you for your invitation to contribute model strategies to address recidivism. Sisters Inside offers the following case studies which address key components of the Draft Resolution – crime prevention, a gender perspective and promotion of reintegration (Clause 3).  

We particularly recognise the importance of building respect for cultural diversity (Clause 4). All Sisters Inside services focus on the needs and rights of First Nations women who are massively overrepresented in the Australian prison population (in 2016 they were 34% of women prisoners despite comprising only 2% of the adult female population), and the fastest growing cohort in prisons across Australia (a 248% growth over the 25 year period - 1991 to 2016)\(^1\).  

We trust that the following case studies will serve as useful tools for reducing the rate of prison return amongst women in other Members States (Clause 8).  

Background Information  

Established in 1992, Sisters Inside is an independent community organisation based in Queensland, Australia, which advocates for the collective human rights of criminalised women and girls, and their children, and provides customised services to address each participant’s particular needs.  

The Australian experience demonstrates that imprisonment is, in and of itself, criminalising. (This includes both untried women who are imprisoned on remand, and those who are sentenced.) Ultimately, the only way to reduce prison return rates is to institute major systemic reforms which redirect resources from prisons to community-owned and community-driven support systems which address the contributors to each woman’s imprisonment. Criminalisation is most commonly the outcome of repeated and intergenerational experiences of violence, poverty, homelessness, child removal and unemployment, resulting in complex health issues and substance use. First Nations women and girls are massively disproportionately imprisoned in Australia, due to the racism at the foundation of our systems of social control. Until we address these
contributing factors, we cannot expect a significant change to the social patterns of imprisonment and high rates of return to prison. Sisters Inside believes that improved opportunities can lead to a major transformation in criminalised women’s lives. Our primary goal is to reduce the number of women in prison, therefore the return rate and, ultimately, to see prisons replaced with proper resourcing of communities to meet women’s needs.

Sisters Inside is driven by women with lived prison experience. Repeated consultations with women and evaluations of our services have demonstrated that this is central to Sisters Inside’s great success in keeping women and girls out of prison. The organisational frameworks driven by criminalised women themselves detailed in Case Study 1 (below), should be seen as integral to all the remaining case studies whose success has been based in our clarity of purpose and process.

**Case Study 1 – Sisters Inside’s Values and Model of Service: Rules and guidance materials relevant to successfully keeping women out of prison**

Sisters Inside was pleased to see your request for guidance materials relevant to keeping women out of prison. Too often critical underpinning material is lost in the rush to share exciting service provision ideas! In our experience, how (and by whom) services are delivered is at least as important as the nature of services themselves. Having and consistently applying women-friendly, culturally-accountable, trauma-informed, socially-just values, vision and ethics is fundamental to successful service provision with this systems-shy cohort. (It is important to remember that most criminalised women and girls have lived a life of surveillance and control, and are very cautious about service providers, many of whom have betrayed them in the past.)

Many organisations have tried to copy Sisters Inside services, with limited success. This is because they lacked understanding the wider context of our programs and services – our organisation-wide shared understanding of the role of prisons (and police) in society; our understanding of ongoing colonialism and its impact on First Nations women; our ultimate goal (abolition of prisons); our ‘women first’ ethos; the meaning and purpose of our work with women; our commitment to human rights work (not charity); our positive, peer attitude with women; our 100% voluntary services; our respect for women’s privacy, intelligence and judgment; our commitment to being driven by each woman and girl’s priorities and needs … at Sisters Inside, women have power wherever possible in decision making about our service provision and their lives.

The 2 critical documents that guide all aspects of Sisters Inside are “Our Values and Vision” and our model of service (“Inclusive Support”). Both are available at [http://sistersinsideausresearchhub.com.au/index.php/sisters-inside-publication](http://sistersinsideausresearchhub.com.au/index.php/sisters-inside-publication). These are living documents with which Sisters Inside staff and management regularly engage in some depth. For example, several hours of the 1 week Induction Program for new workers is spent reading and discussing the values, and a full day is spent learning about Inclusive Support. All staff are constantly reminded of our values through group readings and discussion at our Reflection Day and the Planning Day each year. And, both are frequently referred to when making difficult decisions at workers’ weekly “Inclusive Support” meetings.

All Sisters’ work is underpinned by “Our Values and Vision”. This is not a list of 10 slick words! It’s a detailed 5 page document, written in explanatory text form, which critiques the criminal legal system, details our values and long-term vision, and provides an organisational framework including expectations of staff. All workers and management are required to agree to work within these Values. The original values development process involved 12 women (10 of whom were women prisoners, including 4 First Nations women) who contributed through 3 full weekend workshops held inside the Brisbane women’s prison. Each woman contributed values ideas for consideration by the group. There was several weeks’ break between workshops to
allow participants to think about the issues raised and for women prisoners to talk extensively with other women prisoners².

“Inclusive Support” (Sisters Inside’s model of service) began with evaluation of an early draft model by over 200 criminalised women, 2/3 of whom were First Nations women. This was part of A Place to Call Home Pilot Project - a National Homeless Demonstration Project which operated throughout Queensland in 2006-7. Use of Participatory Action Research to critically evaluate the draft model led to a much-improved model that remains essentially unchanged. Some of the findings (particularly a chart of ‘helpful and unhelpful worker behaviours) remain central to the model. (See http://sistersinsidereasearchhub.com.au/index.php/sisters-inside-service-program-evaluations for the full evaluation report of A Place to Call Home ...) The model has since been continuously (based on women, girls and workers’ input) and continues to underpin all service provision at Sisters Inside.

**Case Study 2 – #FreeHer: An online crowd-funding campaign which significantly reduced the number of poor First Nations women in prison**

For many years, draconian Western Australian (WA) legislation sent people directly to jail for unpaid fines. This had a massively disproportionate and discriminatory effect on Aboriginal people in Western Australia, particularly the mothers of dependent children. In one case, it led to the horrific death in custody of Ms Dhu – who the police arrested at a domestic violence scene for an unpaid fine, then failed to address her injuries arising from the violence, resulting in her death from these injuries several days later.

Sisters Inside’s #FreeHer campaign on GoFundMe began in January 2019 as a spontaneous reaction to the number of families that were being destroyed when Aboriginal women were sent to prison for non-payment of fines (at https://www.gofundme.com/f/bfvnvt-freethepeople). All the money donated went directly to paying women’s warrants for fines they could not afford to pay. Women recipients talked about this campaign ‘saving my life’ - increasing their sense of family safety because their children were less likely to be removed, and police couldn’t arbitrarily arrive and arrest them without warning for outstanding warrants.

The #FreeHer campaign also provided the scaffolding to fight for changes to the WA legislation. Donors were encouraged to make comments when donating, and Sisters Inside staff made several trips to Perth to support lobbying by local organisations, particularly Aboriginal community-controlled organisations, which had been advocating for repeal of this legislation for decades.

In June 2020, the WA parliament passed a Bill to end imprisonment for unpaid fines. Despite this, the number of women being imprisoned for poverty in WA and across Australia continues to rise at a horrifying rate. Many of women’s so-called ‘offences’ such as theft of groceries and other family needs, continue to be driven by poverty. Around 40% of women prisoners in Australia are on remand – too often, for the most minor offences, and simply because poverty makes it impossible for them to pay bail. And Aboriginal women continue to be the fastest growing cohort of prisoners in Australia. #FreeHer continues to collect donations and use them to support as many women as possible who are at risk of imprisonment or child removal directly or indirectly due to poverty. The GoFundMe page intends to continue until poverty has been alleviated amongst Australian First Nations women.

As at July 2022, #FreeHer had raised over AU$1.3 million in individual donations, which has directly supported over 400 Aboriginal and Torres Strait Islander women (and their children). Donations continue to be received daily. And ... Sisters Inside continues to work to stop the removal of First Nations children into so-called ‘care’ due to criminalisation, poverty and homelessness.
Case Study 3 – Health Support Program: A women’s post-release service which has significantly reduced return-to-prison rates

Women and girls in the criminal legal system typically have poorer health than the general population. Worse, they typically leave prison with deteriorated health.

The Sisters Inside Health Support Program (HSP) provides health and wellbeing support to criminalised women. The Program particularly aims to provide intensive support to women immediately following release from prison, and women with complex health needs. The HSP supports women to access health (medical, dental, social, emotional and mental health) and substance abuse services, and to address any wider issues impacting their own, or their children’s, wellbeing. This includes facilitating appointments with women-friendly practitioners and services, offering support to maintain treatment and addressing wider wellbeing needs (such as housing, income support, education or family reunification) which impact the health of women and their children.

The Australian carceral system is patently ineffective in reducing ‘reoffending’. Adult prisoners in Australia return to prison at extraordinary rates. In 2020-21, 53% of all prisoners (and 64% of First Nations prisoners) had returned to prison within 2 years of release. Any other strategy with a less than 50% ‘success’ rate, would be deemed a complete failure! By contrast, an independent evaluation of the HSP found that over a 2 year period, only 6 of the 109 participants (5.5%) were known to have returned to prison, and only 4 (4%) were imprisoned for new ‘offences’. Notably, all the women who returned to prison were homeless.

The independent evaluation found that the program had been highly successful in meeting the needs of its 109 participants (67% of whom were Aboriginal and/or Torres Strait Islander women). Drawing on case studies and quotes from women participants, the evaluation highlights the importance of offering support as intensely, and for as long, as the woman herself wants it. It examines the different types of support that women found useful – everything from health information; to transport assistance; to practical and emotional support; to systems navigation and advocacy; to help managing complex pharmaceutical regimes; to assistance with form filling. Based on the success of the HSP, the evaluation also made recommendations about how prison and community-based health services could improve post-release continuity of care for criminalised women.

Case Study 4 – Yangah Program: A girl’s bail support program which has prevented girls being imprisoned or reimprisoned

A Queensland Sentencing Advisory Council analysis found that 62% girls sentenced to imprisonment in Queensland between 2005-06 and 2018-19 had ‘reoffended’ within 2 years of release … almost double the rate of former women prisoners at 35%.

The Sisters Inside Yangah Program (meaning “get up” in the Yugambeh language) aims to reduce the number of 10 – 17 year old girls being held on remand in children’s prisons and police watch houses in the Greater Brisbane Area. Yangah works with young people who identify as female and are on remand or at risk of remand. These are typically highly socially disadvantaged young people, with Aboriginal and Torres Strait Islander girls at particularly high risk of imprisonment. The program improves the likelihood of a successful bail application, through ensuring girls’ access to suitable and stable community-based services and support. It also provides post-release support via outreach to enable girls to continue to meet their bail conditions, and builds relationships with girls already in prison in advance of their release through a twice-weekly art group.

With 84% of children in prison in Queensland having been in state residential ‘care’, Yangah focuses heavily on working alongside girls to identify their needs and develop a plan for living in the community whilst their legal matters are resolved, and
advocating with and for girls with other services as required. This includes ensuring girls have access to appropriate legal representation; safe, secure, affordable accommodation (where possible, with their family); physical and mental health services and support; and opportunities to meet their education, social and emotional wellbeing needs. Where appropriate, our workers also engage with girls’ families, to optimise their access to family support.

It is clear that, given appropriate support, many less children would be in prison. By contrast with the expected prison return rate of 62% within 2 years (above) in 2020, Yangah was successful in supporting 45 girls to access and/or maintain bail. According to an internal data review, in 2020 Yangah had a 100% success rate in keeping these 45 girls out of prison, with none returning once they were being supported by Yangah workers.

I trust you find this information useful.

Yours sincerely

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1 Human Rights Law Centre & Change the Record (2017), *Over-represented and Overlooked: The crisis of Aboriginal and Torres Strait Islander women's growing over-imprisonment*, authors, p 4