

Justice Action in Prisons *Madeleine Spain*

Malcolm Baker, a gentle 67-year-old Australian prisoner is being subjected to forced medication and 15 years of solitary confinement, 23 years after being given a life sentence. Tracy Brannigan died from a drug overdose due to negligence on the part of prison authorities, just three months shy of her potential release from prison. Over 13 years after being found not guilty of manslaughter and malicious damage to property by reason of mental illness – which normally results in a 3-and-a-half year sentence – Saeed Dezfouli is still being held indefinitely and forcibly injected because he will not stop resisting.

Justice Action stands beside each of these people. Without such support, they would be isolated and without hope. Together, these situations illustrate the ways in which the justice and mental health systems marginalize and degrade people. It is struggles like these that provide context for fighting for prisoners' rights.

In Australia, the prisoner movement traces its history back to colonization, when the country existed as a penal colony. The slavery and overall degradation of human beings that occurred during this period prompted the rise of the prisoner movement. Justice Action exists as a part of this movement, and, since its inception, has targeted abuses of authority against vulnerable citizens. We are especially focused on disadvantaged people such as prisoners and individuals who have mental health concerns. In addition to its work in defending human rights, Justice Action aims to improve the social and mental health of affected communities and advocates for methods that reduce recidivism.

As an independent, non-governmental organisation, Justice Action is self-funded through the social enterprise Breakout Media Communications, strengthening its ability to perform its watchdog functions. Our team members come from all walks of life. We draw our lifeblood from prisoners, ex-prisoners and their families, who bring their concerns about prison to the public sphere. Justice Action also relies on the work of students and community members who share with us their passion for social justice and their desire for learning, as well as on lawyers and academics who lend their skills and expertise. Justice Action believes that meaningful change in Australia's criminal justice and mental health systems can only be achieved through the free exchange of communications and greater community involvement, and that *all* members of society should take responsibility.

Our organisation uses many approaches to affect social change. For example, in 2013, Justice Action launched iExpress as a means of ending the social exclusion faced by those in prisons and locked hospitals. iExpress is the world's first prisoner social media system. It empowers people in prisons and forensic hospitals by reducing the digital divide that exists between them and the outside world, and provides them with a means of social integration prior to release. The system includes free services, such as personal email and online profile management software programs, and provides prisoners a link to the outside world. The service also serves as a creative outlet by allowing prisoners to showcase their artwork and musical compositions, encouraging positive communication and expression.

While the rhetoric of rehabilitation used by the state stresses active participation, prison culture conditions people to become submissive and wait for time to pass. For this reason, Justice Action continues to advocate for the implementation of online counselling in prisons. Counselling through computers in cells is a cheaper and more effective alternative to face-to-face therapy. Online counselling offers prisoners stable services that can be accessed long after incarceration and that is not affected by transfers. This stability is important in building counsellor-patient relationships and promoting psychological health. Additionally, prisoners are able to choose to partake in online counselling on their own, encouraging self-management and active use of cell time, skills which can be further developed upon release and are important in preventing recidivism. Justice Action has also produced a research paper on the issue, *Computers in Cells*, which was presented at the Fifteenth International Conference on Penal Abolition in Canada. The paper generated widespread interest from authorities in Australia and abroad, and, subsequently, helped gather support for a roll-out of this program in Australian and New Zealand prisons and mental health hospitals.

Justice Action has also defended prisoners' rights to store their possessions, as proper storage is essential to reintegration after incarceration. The loss of identification documents poses obvious practical problems, while the loss of letters, photos, and family heirlooms has less tangible, but no-less-real consequences to the well-being of the criminalized. Given that prisoners often do not have a home or job to return to, and have often lost their connections to the outside world, the storage of belongings has become an important factor in ensuring a high quality of life for prisoners post-incarceration. To ensure

that these essential storage services be provided to prisoners, Justice Action assisted the NSW Prisoners Aid Association in advocating for their continued funding as a storage facilities provider. This campaign has been rolled out to other states, territories, as well as to New Zealand in 2015, ensuring a more widespread provision of storage to inmates.

Justice Action's work does not stop at research. It also works on a case-by-case basis to uncover and rectify abuses of authority. More specifically, after three Supreme Court cases, Justice Action experienced success in the area of mental health in regards to the issue of forced medication. These issues include defining the role of hospitals and the limitations of tribunals. Justice Action presented a publication titled *Mad in Australia*, at the Ninth National Forum on Reduction and Seclusion and Restraint Forum, in an effort to voice the detrimental effects of forced medical intervention on behalf of people affected by the penal system.

Justice Action also publishes *JUST US*, the only newspaper in Australia and New Zealand distributed to people in prisons and hospitals. Giving a voice to those silenced by the criminal justice and mental health systems, *JUST US* is crucial to Justice Action's continued engagement with the community it serves. Showcasing art, poems, articles and letters from the inside, along with news and information on prisoner and patient rights, *JUST US* continues to keep our audience informed about their rights and pertinent issues in the criminal justice system. Justice Action's most recent *JUST US* publication provides statements from political parties regarding criminal justice issues, and reminds people in prisons and hospitals that they have the right to vote in elections, empowering them to view themselves as equals with other Australians.

Prior to the 2015 election, Justice Action prepared a questionnaire to examine various political parties' responses to a spectrum of prison-related criminal justice issues. This project allowed for an open dialogue between political parties and the community in bipartisan policy development. Some of the issues raised pertained to Indigenous Australians, women, youth in custody, bail, and education and training in prison.

We strive to challenge authorities and to end abuses of those they control. Justice Action works for the rights and welfare of prisoners, mental health patients, and their families, and to express the views of the prisoner community. With the support and participation of the wider community, our work will continue.

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