

# **The System Is Not Failing, It is Working to Harm First Nations People**

*Vickie Roach*

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## **ABOUT THE AUTHOR**

*Vickie Roach* is a Yuin woman, born to a Stolen Generations mother and then stolen herself. She is an incarceration survivor and activist in Victoria and New South Wales, Australia. In 2007, Vickie successfully brought a High Court of Australia challenge to legislation prohibiting people in prison from voting. She has completed a Masters of Writing (Swinburne University) and has written and spoken prolifically about the harms of prison and the need to change the system. Vickie is a founding member of the National Network of Incarcerated and Formerly Incarcerated Women and Girls (Australia), as well as a member of the steering group of Homes Not Prisons that is fighting against expansion of Dame Phyllis Frost women's prison in Victoria. Across all her campaigning, Vickie is an ardent abolitionist. She believes the system is designed to break us and that the only path forward is to break the system.

## **MY STORY**

I grew up in foster care and homes where there was a lot of Aboriginal kids. In the early 1970s, At the time I was imprisoned, there were only about 60 women in the New South Wales Mulawa (now known as the Silverwater Correctional Centre). About half of those 60 women were Aboriginal and the worst thing was that they were so far away from their country. They were treated badly by the screws and they were treated badly by the police.

The first time I was in custody, I was not yet 18 years old. I was with another girl around my age. We planned to meet after my release, but when I got out I was told that she had been killed by the police. They picked her up and took her to the cells where they gave her a hiding. They broke her neck and she died. That was a real eye opener for me in terms of the total disregard for her humanity, for her youth and for who she was. Her life appeared to mean nothing to the police. It impacted me at that young age. My young friend that could have been me – she had been killed by the police with as little regard one would have for stepping on a cockroach.

I saw many injustices in prisons since then, including our denial of the right to vote in elections. This led me to take my case to the High Court

of Australia in 2007. I challenged the conservative Howard Government's ban on voting rights for people in prison. The High Court ruled that people serving short sentences have a constitutional right to vote in federal elections. This did not afford me a vote, sadly. But it drew attention to the discrimination against people in prisons, especially First Nations people because we are over-represented in prison and therefore more affected by disenfranchisement. We are often denied the right of democracy because we are seen as undesirable elements of society. Yet most of us have done only minor crimes – it is just unfair system. In prison, you become excluded from society. It is as if you are no longer part of this democracy or humanity while still governed by the rules that are made by governments. People in prison should be encouraged to participate. You are already punished by imprisonment. We should not be further excluded.

First Nations people are already a minority within our own country. We are just north of 300,000 people, yet a significant number of us are incarcerated. We are only further marginalized this way. We need our voices to be part of the voice for change. When there is a significant First Nations population incarcerated and denied the opportunity to vote, the system is using criminality to deny First Nations people citizenship. This is not a systemic failure. The system is working exactly how it is designed to work.

## **WHERE MY STORY MEETS COLONIZATION**

The brutalities of the police and prisons started with colonization. Aboriginal people were criminalized, herded up, rounded up and segregated. We were also shot and massacred. They fed us into their system and tried to assimilate us through the Stolen Generations, removing us from family and Country. This is also my story.

The criminalization of us as a race of people has been unrelenting ever since. The policies have changed but the separation, segregation and violence has continued. I firmly believe that the police institution is one of the most damaging and harmful things that exist in society and have significantly and specifically burdened First Nations people.

In contemporary times, we are starting to understand the role of intergenerational trauma and the impact that has on First Nations families and communities. The trauma spawns from stealing our children since the time of our great grandmothers. Our great grandmothers tried to hide us

from the police. My grandmother was part of the Stolen Generations. We grow up to feel that we are unfit parents, and that the state and welfare board will also come and steal our children too. That was passed on to me because I internalized the institutional violence. There is also trauma from putting kids in prisons. They are brutalized in their formative years and their psyche is damaged forever. The trauma and fear translate from one generation to another. The system is designed to enforce this cultural genocide.

The everyday institutional racism in our lives is inescapable. It is only now with the Black Lives Matter movement and the police killing of George Floyd that we are finally talking about defunding police and reckoning with the harm of prisons. It is finally being talked about in broad circles. We need to keep that momentum going. Younger people are realizing the role of the police in colonization. They are seeing how the police are both an agent and a blunt instrument for the oppression of First Nations people. Aboriginal people can relate to the images of George Floyd with Aboriginal children handcuffed to restraint chairs with spit hoods and Aboriginal people dying in custody in Australia. They know this violence has always been part of colonization.

## HEALING

Any healing from institutional trauma needs to be led by Aboriginal people. Nothing about us without us. Institutions cannot provide remedies because they are the problem. The criminal justice system should not be the first responder to complex social issues. Police just make matters worse. They create intergenerational trauma by policing generation after generation. There needs to be another approach. For example, the police cannot investigate the police for Aboriginal deaths in custody. They cannot police their own wrongs and they just keep creating more harm.

The system is beyond reform. Prisons must be torn down completely and replaced with community work that keeps communities safe. Ideally, we would not have any jails. Instead, we would create the environment that would keep everybody safe. There would be accessible housing, education, employment, and healthcare. We would create healing communities and healing places where inter-generational trauma could be treated with sympathy and empathy, rather than with a hammer.

My grandfather was a real special cultural man who taught me a lot about my own culture and gave his stories about Country to me. He talked about

traditional ways before Europeans came to this country. He talked about a time before colonization when we did not have a prison system to incarcerate people behind fences. Before colonization us as different mobs were all united. We had our local forms of justice, we had our local forms of healing and living in communities. We now need to start to reimagine pre-colonial life, and build on the principles and valuable lessons from those times. This would help us co-design local justice programs based on community.

## **ABOLITION**

Prison abolition has many benefits such as removing the potential for more First Nations deaths in custody. Prison abolition will make society much safer. Many people think putting people in prison makes society safer, but it does not. Prison is a brutal place. You are strip searched and there is physical violence from the screws. The whole system is brutal, dehumanizing and demeaning. I do not think it makes people better – it harms us.

Instead of prisons, First Nations people should be engaged in community-led programs, including healing programs. The community should provide wrap-around services and not the sentencing courts. There needs to be housing services, mental health services, employment services – all of the services to wrap around the person. This is a holistic approach that looks at someone's needs – giving them somewhere to live, clothing or a job. It is all very simple, basic stuff. It involves satisfying basic human needs that First Nations people are often denied, especially after we have been in prison. The change must start with imagining alternatives to incarceration that are based on care, inclusion and healing.