

Chapter **2** Going to  
prison



## How to locate your friend or family member in a correctional centre

To find out where someone is in the corrective services system, contact Sentence Administration on 8346 1310 (9am–5pm Mon–Fri). After hours (7 days until 10pm) 9289 5258.

You'll need their date of birth or their MIN, a six-digit identification number that's given when someone enters the correctional system in NSW for the first time. It will be their identification number any time they're in a correctional centre. Families should obtain this number from the person in the correctional centre as soon as possible, and write it somewhere safe.

## How long will they be incarcerated?

When the court sentences an offender to be imprisoned for more than 36 months, there may be a minimum (non-parole) prison term set, followed by a period of time which may be spent in the community on parole. Prisoners can't receive time off their sentence for good behaviour during this period, so you should expect that they'll serve the full amount of their minimum sentence.

## Reception at the correctional centre

There are reception centres around the state, but most people will go to the MRRC (Metropolitan Remand & Reception Centre) at Silverwater for men or Silverwater Women's Correctional Centre (formerly known as Mulawa) for women.

All prisoners go through a reception process. This includes:

- Handing in personal property to be stored while they're in custody
- A strip search
- A shower, and provision of correctional centre clothing, bedding and basic toiletries
- Health assessment by a qualified Justice Health nurse. This covers physical and mental health issues, any current prescription medication, and history of drug and alcohol use
- Assessment of immediate risk of self-harm or suicide. If immediate concerns are identified, the prisoner will be closely watched.

See p.163 for more information about specialist services for prisoners who may have health issues or need additional assistance.

## Prisoner orientation

While prisoners are waiting during reception, they may see a video that explains the reception process and gives them information about prison life and services. They'll find out about phone access and visiting, and be given information about looking after their health and safety.

They may be introduced to an inmate delegate. Delegates are prisoners who are familiar with the prison system and can help other prisoners to cope.

They can refer prisoners to services and/or programs, explain the correctional system, and provide support to vulnerable prisoners. There are Aboriginal delegates, and delegates from different cultural and religious groups.

## Prison activities

### Programs

Correctional centres provide various programs to help address issues which may have led to prisoners being incarcerated. These include:

- Alcohol and other drugs programs
- Violence prevention programs
- Sex offenders programs
- Young offenders programs.

Self-help groups like AA (Alcoholics Anonymous) or NA (Narcotics Anonymous) are offered in some correctional centres.

Participation in programs can help prisoners move faster through the system and can help when they apply for parole (see p.142). To participate in programs, prisoners should talk to the Manager Offender Services and Programs (MOSP) or case management team. Programs may only be available at certain prisons and may be in high demand. Prisoners may need to wait until vacancies become available.

### Employment

Remand prisoners can ask to be employed. Sentenced prisoners are expected to work. They may be employed directly in providing prison services (e.g. being a sweeper (cleaner) or working in food preparation) or may work on commercial projects for CSI (Corrective Services Industries). CSI services include laundry, food preparation, light engineering, farming, telemarketing, printing and packaging. See [www.csi.nsw.gov.au](http://www.csi.nsw.gov.au) for more information on CSI.

Prisoners will be paid for their work but at a lower rate than in the community. Wages will be paid into their prison account to purchase items through the 'buy up' system (see p.63 for details of buy up).

## Education

A range of education options is available in correctional centres. Prisoners can find out about courses through education staff or through case management meetings.

AEVTI (Adult Education and Vocational Training Institute) provides courses focusing on reading, writing and number skills up to Year 10 standard, and work skills training, to help prisoners find work when they leave the correctional centre. AEVTI certificates are recognised around Australia. Courses include:

- General education
- Communication
- Information technology
- Koori education
- Visual art.

TAFE courses are also offered to prisoners in some correctional centres. Prisoners can complete courses in the community once they're released if they don't finish while in the correctional centre.

Courses may include:

- Aboriginal arts and cultural practice
- Food skills
- Business skills
- Horticulture
- Trade skills
- Information technology.

## Recreation

Prisoners will spend quite a lot of time locked up in their cells. They may watch TV or read. Most correctional centres have libraries, or prisoners may have books in their unit. Newspapers may be available, or may be ordered through the buy up system. You may be able to send in newspapers or magazines. You won't be able to send books, as these are too time-consuming to check, and you aren't allowed to send in pornographic magazines.

Outside their cells, prisoners may be able to play sports like football or basketball or use a gym.

## Religion

Prisoners can practise the religion of their choice while in prison.

Chaplaincy services are provided by major Christian denominations and representatives from the Muslim, Buddhist and Jewish communities. Prisoners can access a chaplain by contacting the Welfare Officer, Service & Program Officer or other staff person. If you wish to speak to a chaplain, call the prison and ask what days the chaplain of your faith visits the prison and how you can get in contact with him or her.

## Food

Prisoners are provided with three meals a day. The food is prepared by prisoners under supervision. Special diets can be provided for religious (e.g. Muslim or Jewish) or health reasons (e.g. diabetic). Meals will usually be eaten in prisoners' cells, although some units may have dining tables if prisoners aren't locked in.

Prisoners may be able to purchase lollies, cake mixes, noodles, sauces, tinned food and rice through the buy up system. They may also be able to buy a sandwich maker or rice cooker for use in their cell. (See p.63 for more details about buy up.)

## Coping in prison

In the correctional centre, new inmates will need to cope with:

- Loss of personal freedom
- Separation from people they love
- Fear and uncertainty about prison life.

The early days and weeks can be the hardest. Many prisoners feel depressed, anxious and fearful during this time.

Correctional centres can be tough places, and, while the levels of violence have decreased in recent years, bullying still does occur. Many prisoners feel that showing sadness, fear or distress may make them appear 'weak'. Some

prisoners try to act 'tough' so they won't be seen as vulnerable. Others try to stay safe by withdrawing and keeping a low profile. You may notice changes in your family member as they develop strategies for coping in the correctional centre.

Some prisoners will even cut off contact with families outside because they find it hard to open up to family for visits and phone calls then close down during day-to-day life in the correctional centre.

However, prisoners with strong family ties generally do better when they're released. If you're finding that your family member seems emotionally withdrawn, or is not making contact as often as you'd like, it may help to understand why this may be occurring. Don't assume that this behaviour means that the person doesn't love you or care about you anymore. If you're concerned about the emotional wellbeing of your loved one, please contact the correctional centre and ask to talk to the Welfare Officer, Service & Program Officer, other staff person or General Manager, so that support can be provided to your family member.

## Classification of prisoners (classo)

Classification is the process of determining the level of security for the prisoner. They'll be placed in a correctional centre which serves that classification.

Decisions about classification are based on sentence length, on the prisoner's program and support needs, and on vacancies in different centres. Prisoners can ask for the location of their family to be taken into account. This doesn't guarantee prisoners will be able to be close to family.

For most prisoners, classification and placement recommendations are made by the Case Management Team (CMT) that meets with the prisoner after they're sentenced and then every 12 months. The final decision is made by the Corrective Services Case Management Committee.

For serious offenders (who have a sentence for life, or 12 years or more), decisions about classification are monitored by the Serious Offenders Review Council (SORC), and the Corrective Services Commissioner has the final say.

## Male prisoner classo levels

A1 and A2 – maximum security, where prisoners are always within secure physical barriers, e.g. walls, towers, electronic surveillance

B – medium security; there are physical barriers, but lower walls and less security than maximum. Prisoners may have longer visits

C – minimum security:

- C1 – prisoners confined unless with an officer
- C2 – can do community projects under supervision
- C3 – can go into the community without supervision on day or weekend leave, education leave or work release.

Prisoners who have escaped from a correctional centre will be given an 'E1' classification in maximum or an 'E2' in medium security correctional centres. They can apply to the Escape Review Committee to have this changed to a 'C' classification.

Serious offenders will probably start off with an A1 or A2 classification, and it will take a long time for them to come down to a B. Prisoners with short sentences won't get work release or day release.

If you have questions about classification, talk to the Manager Offender Services and Programs (MOSP) at your family member's correctional

centre. You could also contact the Inmate Classification and Case Management Branch at Corrective Services NSW on 9289 5035.

### **Women prisoner classo levels**

Category 4 – continuous supervision within walls

Category 3 – behind a physical barrier unless supervised

Category 2 – may not be behind a barrier but will be supervised. Can do community projects under supervision

Category 1 – can go into the community without supervision on day or weekend leave, education leave or work release.

Prisoners who have escaped from a correctional centre will be given an ‘E’ classification. They can apply to the Escape Review Committee to have this changed.

Serious offenders will probably start with a category 4, while others will enter as a category 3 or 2.

### **Transfer of prisoners**

Prisoners can be transferred at any time. They may not get much notice when this happens. Prisoners are responsible for telling family members that they’ve been transferred – you won’t hear from the correctional centre. Always check with the correctional centre before visiting so you can be sure your family member is still there.

You can expect that prisoners may be transferred after they’ve been sentenced, or when their classification changes. They may also be transferred to access services such as health or specialist programs. Sometimes you may not know why someone has been transferred.

See p.20 for information on how to find a prisoner if they’ve been transferred.

### **Protection**

If there are concerns that a prisoner is at risk of harm from other inmates, they can be placed on protection (also called ‘limited association’). Protection means being placed in a special section of the correctional centre, or being sent to a correctional centre where everyone is on protection. Protection orders are reviewed after 14 days, then after three months and six months.

Prisoners can ask to be placed on protection, or the General Manager may place them on protection because

of information received from inside or outside the correctional centre.

Although protection may offer prisoners a safer environment, the decision to go on protection should not be taken lightly. Issues with protection may include:

- Many correctional centres providing protection are in country areas, which may mean the prisoner is more likely to be away from family.
- Going on protection may make it harder to access education or other programs.
- Other prisoners can have negative attitudes to prisoners who have been on protection. This can make it very difficult to go back into the mainstream after being on protection.

### **Segregation (segro)**

Segregation is isolation for prisoners who pose an extreme risk to other prisoners or staff of the correctional centre. The decision about segregation is made by correctional centre staff, and prisoners don't have a choice.

### **I'm worried about sexual and physical assault and bullying**

Although violence and sexual assault do occur in correctional centres from time to time, this happens much less often than people think. Prisoners who keep a low profile and don't get involved in 'prison politics' can usually avoid trouble. If you have reason to believe that your family member is getting bullied ('stood over') in prison, you should tell a correctional centre staff member immediately. Correctional centre staff will need some information before they can take action. Useful information can range from being told about an incident to simply noticing a change in your family member's behaviour that has made you feel worried.

Your family member may have told you not to tell correctional centre staff about their situation because they fear that talking to authorities about another prisoner will make their situation worse. In such situations you may also feel it's best not to do anything. You could consider informing the correctional centre anonymously by phone call or letter.

If you aren't sure what to do, contact CRC (Community Restorative Centre) on 9288 8700. For more information about CRC see p.5.



### **I'm concerned about self-harm**

Sometimes people intentionally hurt themselves, e.g. by cutting themselves. This is a sign of distress, and they need support and understanding. People who self-harm may not be suicidal. They may be using self-harm as a way of expressing feelings that they can't deal with in other ways.

#### **What signs indicate that someone might be at risk?**

Your family member might seem unusually quiet and withdrawn, or just not interested in things. They may look like they've stopped taking care of themselves. They may express a loss of hope for the future or a loss of meaning in their life. They may have told you that they're scared for their personal safety, or that they're feeling intense despair and that things are out of their control. In some cases, a suicidal person may drop 'hints' about their intentions, for example saying something like 'You won't have to worry about me much longer anyway'.

### **Who may be particularly vulnerable?**

Several risk factors for suicide and self-harm have been identified. Prisoners at higher risk include those:

- who are 'first timers' or on remand
- who have suffered a recent death of a friend or family member
- who have recently experienced a broken relationship
- without family or friends to visit and care about them
- with a history of depression or other psychological disturbances
- with a history of self-harm or past suicide attempts
- with a history of substance misuse.

#### **Responses that are helpful**

- Ask your family member directly whether they want to self-harm or commit suicide. Contrary to popular belief, this question won't 'put the idea in their head'. It often allows people to express something that they've kept bottled up for fear of worrying people.
- Let them know you're there for them to talk to if they need to.
- Accept and acknowledge that your family member is in pain, without judging them.
- Support and encourage them to get psychological help.

- Be available to them, but also set reasonable limits about how often you can visit them in prison, send letters or speak on the phone.
- Make it clear from your behaviour that they don't need to self-harm in order to receive love and caring from you. Be consistent with caring gestures, even if they're not always returned. Don't withdraw your love from your family member.

#### Responses that are not helpful

- Shouting at your family member.
- Calling their behaviour 'attention seeking'.
- Blaming them or someone they care about.
- Pleading with them to try and stop it, or using emotional blackmail such as 'If you loved me you wouldn't do this'.
- Telling them to 'pull yourself together', 'toughen up' or 'get over it'.

#### Look after yourself

- Look for information about self-harm behaviour and suicide. If you have internet access try [www.reachout.com.au](http://www.reachout.com.au) or [www.livingisforeveryone.com.au](http://www.livingisforeveryone.com.au).
- Be honest with yourself about how self-harm makes you feel. Don't pretend to yourself that it's okay if

it's not. Many people find self-harm frightening.

- If you need help dealing with your feelings, talk to a counsellor, social worker or psychologist. (See 'Getting support' on p.136.)

#### What should I do?

If you have concerns about your family member in a correctional centre:

- Report your concerns to staff in the visitors centre before you leave the correctional centre, or
- Ring the prison and speak to a Services and Programs Officer, Welfare Officer or other staff member (see inside back cover for prison phone numbers), or
- Ring the Justice Health 24 hour Telephone Counselling Service on 1800 222 472. This counselling service is for inmates, their relatives and friends as well as Corrective Services officers who may be concerned about the welfare of a person in a correctional centre. The line is staffed by trained mental health nurses who address the concerns raised by the caller and feed back information about the outcome. The counsellor can also help families with referrals to community services.

## **I'm concerned that my family member may need psychiatric help**

All prisoners are assessed on reception. Mental health screening units operate for men and women at Silverwater so that inmates with mental health issues who are identified during reception can be assessed and stabilised.

Inpatient mental health services are provided for male and female prisoners with acute psychiatric problems at the Forensic Hospital, located outside the perimeter of the Long Bay Correctional Complex. The hospital is operated by Justice Health (funded by NSW Health). Justice Health employs psychiatrists and mental health nurses. Some psychiatric services for regional areas are provided through video link (called Telehealth).

Psychologists employed by Corrective Services NSW provide treatment services in conjunction with health staff. Many prisoners have mental health issues, and services prioritise those prisoners with the most urgent needs.

If you're concerned that your family member has an untreated mental illness, talk to staff at the correctional centre or phone Justice Health on 1800 222 472.

### **Need help?**

Note that 1800 numbers are free for calls from a landline but may only be available in certain locations, e.g. outside Sydney. Some may charge for calls from mobile phones, so check this if you need to call from a mobile. Check with your local library for free internet access.

### **Justice Health 24 Hour Telephone Counselling Service**

Staffed by mental health nurses for prisoners, their families and correctional centre staff.

**1800 222 472**

### **Lifeline**

Free and confidential counselling, 24 hours.

**13 11 14**

### **Mental Health Information Service**

Details of mental health services in NSW, information about mental health, and details of support groups.

**1300 794 991**

## **My family member has an intellectual disability**

Prisoners with disabilities will generally be identified during the reception process. Although many prisoners with disabilities are able to be accommodated in mainstream correctional centres, there are two units which are just for prisoners with intellectual disabilities, one at Long Bay (Malabar) and one at Goulburn.

Corrective Services NSW has a Statewide Disability Services Unit (Ph: 9289 2136 or 9289 2091). Staff from the unit are involved in case management and pre-release planning for prisoners with disabilities where needed. Some people won't need additional support because they're already linked with services.

Generally, if families are concerned about a family member with a disability, the best starting point is to talk with a Welfare Officer, Service & Program Officer or other OS&P staff at the correctional centre. However, if families remain concerned, they can contact Statewide Disability Services and discuss their family member's needs with staff there. If you have copies of reports about your family member's disability, these can be very helpful in assessment and planning, and you can forward them to Statewide Disability Services (Fax: 9289 2134).

Statewide Disability Services can be involved with prisoners with a wide range of disabilities, including people across the range up to borderline intellectual disability, people with acquired brain injury, and people with functional difficulties who may not have a clear diagnosis. Where prisoners have mental health issues, these are managed by staff from Justice Health. If a prisoner has a dual diagnosis that includes a physical or intellectual disability, Statewide Disability Services will address the disability issues.

The families of those with disabilities may already have experienced many challenges, including isolation and lack of support. Coping with their family member's imprisonment may feel like the last straw. It may be helpful to know that people with a wide range of disabilities have been accommodated in correctional centres, including people with Down syndrome, Asperger and other autism spectrum disorders, fragile X and cerebral palsy.

Being questioned by police or appearing in court can be very difficult for people with an intellectual disability. The Intellectual Disability Rights Service provides legal casework and advice for people with intellectual disabilities. They have access to prisoners in correctional centres, and can assist people who are being

interviewed by the police. They can also give advice about guardianship, wills and care and protection matters where a parent has an intellectual disability. They have a volunteer network, the

Criminal Justice Support Network, through which trained volunteers can assist people with intellectual disabilities who are being interviewed by police.

### **Need help?**

Note that 1800 numbers are free for calls from a landline but may only be available in certain locations, e.g. outside Sydney. Some may charge for calls from mobile phones, so check this if you need to call from a mobile. Check with your local library for free internet access.

#### **Intellectual Disability Rights Service**

A Community Legal Centre working with people with intellectual disabilities.

**9318 0144**

**1800 666 611**

#### **Criminal Justice Support Network (24-hour Helpline)**

**1300 665 908**

[www.idrs.org.au](http://www.idrs.org.au)

#### **Multicultural Disability Advocacy Association**

Provides advice, information and referrals for people from culturally and linguistically diverse backgrounds with a disability and for their families and carers.

**9891 6400**

**1800 629 072**

[www.mdaa.org.au](http://www.mdaa.org.au)

#### **NSW Council for Intellectual Disability**

Provides information and referral on a range of issues, including where people with intellectual disability are involved in the criminal justice system.

**9211 1611**

**1800 424 065**

[www.nswcid.org.au](http://www.nswcid.org.au)

#### **Statewide Disability Services (Corrective Services NSW)**

Case management and pre-release planning for prisoners with disabilities; contact them if you have spoken to an Offender Service & Program Officer at your family member's correctional centre but are still concerned about your family member with a disability.

**Ph: 9289 2136 or 9289 2091**

**Fax: 9289 2134**

## My family member is transgender

Corrective Services NSW has written guidelines for the management of transgender inmates. If a prisoner advises Corrective Services staff that they're transgender and DCS identifies them as such, they can choose to go to a correctional centre of their gender of identification or their biological gender.

Wherever they choose to be housed, they have the right to dress in clothing and buy personal care items of their gender of identification. Corrective Services policy directs that staff should refer to them by the name appropriate to their gender of identification. Hormone therapy is generally only available to transgender prisoners who were receiving this treatment prior to incarceration.

A prisoner can make application to be identified as transgender at any time in their sentence. They can access services from transgender support groups and specialist legal services.

### Need help?

#### The Gender Centre

Information and outreach support for people with gender issues.

9569 2366

[www.gendercentre.org.au](http://www.gendercentre.org.au)

## My family member is a forensic patient

A forensic patient (sometimes called a forensic prisoner) has been charged with a crime but is dealt with differently because they have a mental illness.

Some forensic patients are detained in prison and some in psychiatric hospitals. The Mental Health Review Tribunal reviews all forensic patients at least every six months and makes recommendations to the Minister of Health regarding detention, treatment, transfer and release, under conditions if necessary.

There are three kinds of forensic patients. (A government review is currently being conducted, so there may be changes to these arrangements.)

### ■ Unfit to be Tried

If a court finds a person unfit to be tried, the Mental Health Review Tribunal decides if they'll be fit in the next 12 months. If they can't be tried in that time, they may appear before a special hearing which can return a qualified finding of guilt and decide how long the person will be detained.

### ■ Transferees and Detained Persons on Remand

A prisoner serving a sentence, or a person on remand, may be transferred to a hospital if involuntary treatment for a mental illness becomes necessary.

### ■ Not Guilty by Reason of Mental Illness

At a trial or special hearing, the court may find a person not guilty by reason of mental illness and refer the matter to the Mental Health Review Tribunal. The person must then be detained in a hospital or prison until released in accordance with a Tribunal recommendation.

Forensic patients are not eligible for parole, home detention or work release. After completing detention they may be transferred to a secure hospital ward, or placed on community treatment orders.

Having a family member who is a forensic patient brings extra stresses. Some people may believe that the forensic patient has avoided punishment if they haven't been tried in the usual way. Victims or their supporters may feel unhappy that they haven't had their story heard by a court. Their reactions may make things more difficult for the family, especially if there has been media coverage, or

strong reaction in a local community. Sometimes people within the family may be victims too.

A Forensic Patient Victims Register is kept by Justice Health. Victims can be notified of forthcoming Tribunal hearings and their outcomes, and can make submissions to those hearings.

Families may find it unsettling that their family member's circumstances are being reviewed regularly, so that the possibility of the forensic patient returning to a mainstream correctional centre or being released is always on the agenda. See p.34 for agencies that can offer support to families facing such issues.

Forensic patients are entitled to representation from a solicitor when appearing before the Mental Health Review Tribunal.

### Need help?

Note that 1800 numbers are free for calls from a landline but may only be available in certain locations, e.g. outside Sydney. Some may charge for calls from mobile phones, so check this if you need to call from a mobile. Check with your local library for free internet access.

#### **Forensic Patient Victims Register**

Information about the Forensic Patient Victims Register.

**8372 3070**

#### **Mental Health Advocacy Service (MHAS)**

Advice about legal representation for forensic patients at Mental Health Review Tribunal hearings and about issues of mental health law.

**9745 4277**

#### **Mental Health Review Tribunal (MHRT)**

Reviews circumstances of forensic patients.

**1800 815 511**

[www.mhrt.nsw.gov.au](http://www.mhrt.nsw.gov.au)

### What health care is available in correctional centres?

Health services are provided in correctional centres by NSW Health through Justice Health. Justice Health nurses staff clinics at all correctional centres in NSW. Prisoners who are ill or injured receive treatment at the correctional centre clinic. Prisoners who need surgery or complex treatment may be transferred to a correctional centre with the necessary facilities. This will usually be Long Bay at Malabar or Silverwater Women's Centre. Sometimes services will be accessed through local hospitals.

Doctors and dentists visit clinics to provide medical and dental services. After screening at reception, prisoners receive a detailed medical check-up. Health plans can be developed and reviewed each year for prisoners with longer sentences. Before discharge, prisoners can receive assistance from Justice Health to ensure they can continue to access medical treatment in the community.

Optometry services can be accessed at most correctional centres through local contracted optometrists who visit the centre.

At some correctional centres, Aboriginal prisoners may also be able to access medical services provided by Aboriginal medical organisations.



Your family member may not be able to get health care straight away. There may be delays because of staff shortages or difficulties with transport. Sometimes correctional centre staff may not agree that your family member has a health problem, or may not prioritise their treatment. See p.28 on ways to advocate for your family member if you're concerned that they're not getting health care that they need. If you have an urgent concern, ring the 24 hour Justice Health Telephone Counselling Service on 1800 222 472.

Justice Health also promotes public health projects such as vaccination and stop smoking programs. Justice Health can be contacted on 9289 2977.

### **Can mothers have children living with them in a correctional centre?**

Once women are sentenced they may be able to have children living with them in the Mothers and Children Program if they meet the program requirements. In the program, children can live with their mothers full time until they start school. If a woman gives birth in a correctional centre while serving a sentence, she may be able to keep her baby in her care while participating in the Mothers and Children Program. Children staying

with their mothers as part of the Occasional Care Program can be up to primary school age. To be accepted into the program, women and their children must be assessed, recommended by a committee, and approved by the Commissioner. This can take up to eight weeks after a woman is sentenced. The Mothers and Children Program is based at Emu Plains and the Parramatta Transitional Centre. Generally women and children join the program at Emu Plains, and may move to Parramatta to prepare for release.

While women are on remand they can't have children with them. Women on remand often have to move between correctional centres while their case is being heard, and most correctional centres don't have facilities for mothers and children. Women can apply to be accepted into the Mothers and Children Program while on remand to reduce the waiting time to join the program after they're sentenced. If a woman gives birth while on remand, she won't be able to care for her baby in a correctional centre unless she is accepted into the Mothers and Children Program after she is sentenced.

Children of women on remand are generally cared for by family. Where this is not possible, they're usually placed in foster care through the Department of Community Services

(DoCS). Once a woman on remand gives birth, decisions will need to be made quickly about who will care for her child. It's best for everyone if the mother and her extended family can plan ahead to make arrangements about who will care for the baby.

### Need help?

#### **Mothers and Children Program (Corrective Services NSW)**

The Mothers and Children Program Coordinator can talk to families about options for children to be cared for by their mother within a correctional centre, and can visit women who may be eligible for the program to discuss their plans for their children.

**9854 7225**

### **Can prisoners be transferred interstate or overseas to be closer to family?**

Under some circumstances, prisoners can be transferred from NSW to other states of Australia, or from those states to NSW. Prisoners can apply in writing for a transfer to be considered.

Decisions about transfers are made by the State Minister or the Commonwealth Attorney-General, depending on whether the prisoner was convicted under State or Federal law. Decisions about transfers can take some months to process. Applications may be refused because of concerns about the administration of justice, or other matters. Prisoners can't appeal the refusal of transfer application, and applications can only be made once within each 12-month period.

Prisoners can discuss transfer applications with the Services and Programs Officer or Welfare Officer at their correctional centre. The prisoner must make the application for a transfer – it's not possible for family to apply on their behalf.

Prisoners may be able to apply for a transfer to or from Australia in certain circumstances. Transfers must be agreed to by both countries, and the processing of applications is likely to take a long time. The countries involved must reach agreement about the length of sentence the prisoner will serve once they're transferred. Generally, only Australian citizens can be transferred from overseas countries to Australia. Similarly, overseas countries will generally only accept transfers of their own citizens.

Australia has extradition arrangements with some countries. This means that people can be apprehended in one country and sent to another country to face court charges.

### **Need help?**

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### **Prisoners Legal Service**

A Legal Aid service for prisoners. Solicitors visit correctional centres across NSW and prisoners can make an appointment to see them.

**9219 5888**

**1800 806 913**

### **NSW Law Society Pro Bono Scheme**

Provision of free legal representation where Legal Aid has been refused.

**9926 0367**

**[www.lawsociety.com.au](http://www.lawsociety.com.au)**

# We can't even tell you where he is


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Sandra's son was charged in another state, and was sentenced and imprisoned there. She describes what it's been like having a family member in prison so far away from home.

*When my son went to prison it just came out of the blue. It was very much out of character. He just went away saying he was going on a short trip interstate with friends and he'd soon be back. The next thing I knew the police were at the door saying he was in the remand centre in another state. It was a big blow because I really didn't know how I could get information from interstate. They told me the name of the centre, but that didn't mean anything to me. It took me a while to find out where he was. We found out he could get bail, so my husband drove there and managed to get him out and he came home until his trial.*

*Even though I had a very good lawyer it was still very difficult, because you're not prepared. On the day he was convicted, one minute he was there standing in the dock, and the next minute he was gone without us even being allowed to say goodbye. My lawyer said I could visit him at the remand centre and gave me the address. I managed to last through the night, and next morning I went to the remand centre, and they said 'We can't even tell you where he is'. The lawyer didn't even know that I couldn't visit him until he'd been processed. I was alone in a strange city where I didn't know anyone. It was the weekend – I couldn't get in touch the lawyer. I stayed through the weekend, and on the Monday I managed to find out where he was. I asked if I could phone him – I didn't even realise that he wouldn't be able to get phone calls.*

*It's like you've entered a different world where you're an alien. Even when I went to visit it was so hard – there was no one I could talk to and no one to support me. They said 'You can have a double visit because you're from interstate'. There was barbed wire, tall walls; I really thought that my son would never see the daylight. I had no idea. That's where you need the support, to know what it's going to look like, to know what happens in the prison. The more people know realistic information about prison, the easier it is to digest, rather than leaving it to your imagination.*



**'These days I visit my son once every three months. If you know your rights as a family member, you can get things done.'**

*Before the visit the adrenaline kept me going, but then I felt such loneliness and isolation afterwards. I just wanted to be with people, and I went and sat at the back of a church during one of the services. Someone turned round to say hello and I burst out crying. From that I met two people who became very good friends, and I would see them when I went to visit my son. The social worker at the remand centre kept in touch with me too. She was terrific. I called them my three angels. Knowing them normalised my life there. If I felt a bit low I could call them. Knowing someone there made me feel like I belonged too.*

*Now I know his routine, I know when he comes out, I know when he's locked up. I know what times he comes out, I know when he has meals, I know the date he's going to try to ring me. I can put money in his account if he doesn't have money. It's a new lifestyle you have to adapt to. When he rings, the time is very limited. All you can say are positive things. The hardest thing is when he says he's been unwell.*

*When I'm at the prison I'm a different person. I think of myself as someone with a strong personality and able to make decisions fairly well, but when I'm there in that prison system I'm stripped of everything, I'm absolutely helpless. I get confused, I start stuttering, I can't express myself properly.*

*These days I visit my son once every three months. If you know your rights as a family member, you can get things done. My son was in the assessment centre then one day out of the blue he called me and said 'Mum, I've moved'. I didn't even recognise the name of the town and I didn't know how I would get there. I had to leave on the Friday to get the evening plane interstate, then take the bus for a four-hour trip and stay the night. The only hotel I could stay at was on the highway. I would go and visit him the next morning, stay the whole day and then get the bus back to the city. It was pouring rain and there was only a bus shelter. The majority of the prisoners were Aboriginal and the bus shelter was filling up with women who had come from other parts of the state. They were waiting with me there in the rain with no proper shelter.*