

Preventing prisoner rape and its effects

Some ideas from the Preventing Prisoner Rape Project

Here at the Preventing Prisoner Rape Project (Australia), we occasionally receive requests for ideas about how sexual violence in Australian prisons can be prevented and how the issue can be addressed. This draft document has been produced in response to these requests. It contains a list of ideas and suggestions about different ways in which people can take action to respond to this issue.

It is not a definitive list! And we don't mean to imply that everyone will try to approach this issue in the same ways. Judges, law-makers, community members, ex-prisoners, counsellors, family members of prisoners all make different contributions to this issue and in different ways. We simply hope that this document will spark ideas and conversations about ways in which we can try to address the issue of prisoner rape.

Some of the ideas here have come from prisoners and ex-prisoners. Some have come from people within prison departments. Some have come from the work of Stop Prisoner Rape in the USA, while others have been developed by workers here in Australia who are concerned about this issue.

If you have further ideas or suggestions, or if you have feedback on this document, we would be delighted to hear from you. Please email David Denborough at the Preventing Prisoner Rape Project: dulwich@senet.com.au

Local community action

Some key steps in preventing and responding to sexual violence in prisons include:

- people in the local communities beginning to care about this issue;
- finding ways for those who have survived prisoner rape to know that others care about their experience;
- making it possible for those prisoner rape survivors who wish to speak about their experiences to do so;
- sharing and distributing the stories of prisoner rape survivors – not only the stories of the assault and its effects, but also the stories of how they survived this experience. Examples of these sorts of accounts are to be found on the Preventing Prisoner Rape (Australia) website.

These steps can occur in any local community.

Continuing consultation

Developing effective and realistic ways of responding to and preventing sexual violence in prison will vary depending upon the local context. Throughout the process of developing proposals to prevent sexual violence in prison it will be necessary to continually consult with those who know most about this issue - those people who have survived rape while in prison.

Key prevention measures

- Keep people out of prison, reduce prisoner population. To make contributions to the development of effective alternative non-custodial responses to crime and violence is therefore significant.
- In particular, keep those most at risk of sexual assault in detention out of prison. This includes young men and women, transgender people, gay men., those convicted of non-violent crimes, those with history of mental illness, those with intellectual disability.
- Provide education for all magistrates relating to the prevalence and effects of sexual assault in prison, which prisons are most at risk, and to take this into account when sentencing.
- Make the prevention of sexual assault in prison a top priority for Departments of Corrective Services across the country.

Providing information to people when they enter prison

- When people are inducted into the prison (as inmates) provide them with relevant information about sexual violence in prisons and with information as to how they can request assistance if they believe they are in danger of assault. This information could include stories of ways in which those in prison have survived sexual assaults.

Possible Departmental responses to sexual assaults in prisons

- Develop and implement protocols and procedures designed to effectively respond to sexual abuse in detention while protecting the safety of victims.
- Enable the normal chain of command to be breached for the reporting of sexual abuse.
- Provide a list to all inmates of individuals in the institution to whom inmates can make these reports
- Ensure the confidentiality of the initial report of sexual assault and that the person who has been assaulted has the option of whether or not to move forward with a formal complaint.
- Ensure that there is no retaliation against victims of sexual assault for coming forward (from staff or fellow inmates)
- Ensure there is no discrimination by staff in their responses to inmates who are gay, bisexual or transgender who experience sexual aggression, or report that they have experienced sexual abuse.
- Ensure that confidential counselling is available to those who have experienced sexual assault and that this counselling does not depend upon the inmate making a formal report.
- Develop guidelines to allow outside organisations and service agencies to offer resources and provide confidential counselling to inmates including:
 - rape crisis centres
 - hospitals
 - gay rights organisations
 - HIV/AIDS service providers
 - Civil rights organisations
- After a sexual assault has occurred, enable a visit by family, friends of the inmate in a private setting.

Training

- Provide training to prison social workers and psychologists in ways of responding to inmates who disclose sexual assault and/or histories of sexual abuse.
- Provide training to all custodial officers on the issue of sexual assault prevention and response.
- Provide training to workers in the community who regularly come in contact with ex-prisoners as to ways of creating possibilities for people to speak about these issues and appropriate ways of responding.

Independent review

- Establish, in every state and territory, an independent office to monitor the prevention of and response to sexual violence in prisons.
- Convene a meeting of these offices each year and from this meeting make available to the public a report on the progress of implementing these reforms.

Upon release

- Provide avenues for those who have been subjected to sexual violence in prison to seek assistance upon release.
- Provide avenues for those who have been subjected to sexual violence in prison to seek compensation where possible upon release.

Research

- Research the incidence and effects of prisoner sexual assault. When considering effects include not only immediate victim, but broader prisoner population, family and wider community. Economic, physical, mental, medical, social and economic impact of prison rape to be considered.
- Research, document and circulate stories of successful steps that have been taken in different institutions to reduce the incidence of sexual violence and to respond to those who have been assaulted.
- Research, document and circulate stories that describe the ways in which people have endured, coped with, and survived prison rape. Descriptions of the particular skills and knowledge that informed this survival could be made available to other prisoners, ex-prisoners, family members and so on. Examples of these sorts of accounts are to be found on the Preventing Prisoner Rape (Australia) website.
- Research, document and circulate the ways in which family members and friends of those who have experienced assault in prison have tried to care for, support or take action on behalf of their loved one.

Linking people together

- Create opportunities for those who have survived prisoner rape (and the family members of survivors) to meet one another and discuss the ways in which they have endeavoured to deal with this experience.